

# Law Enforcement News

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## Battery not included

### Electronic alarms keep tabs on spouse batterers

By Stephen Donohue

Money is a driving factor behind a new program in Berrien County, Michigan, where the probation department is placing ankle bracelets on convicted batterers to monitor their movements instead of sending them to jail.

Sheriff Robert Kimerly said the program will not only save his department thousands of dollars each year by keeping the men out of jail, but will also benefit abuse victims who often rely on financial support from their batterers.

The program will operate in conjunction with Safe Shelter, a safe house and counseling center in Benion Harbor, Mich., for domestic violence victims and their abusers, where officials will decide who can participate in the program.

Safe Shelter director Mabel Dunbar said the program is completely voluntary. "Both the victim and the perpetrator are going to have to agree for this program. It's not just going to be only the perpetrator, it also has to be on the victim," she said.

With the final details of the program still being worked out, the first participants were scheduled to receive the monitors during the first

week of November. In addition to the tamper-proof ankle bracelets placed on the batterers, the abuse victims will have alarm boxes installed in their homes that will sound if the batterers come within 500 feet.

Berrien County Chief Probation Officer David Dreese said the batterers in the program will be placed under house arrest as a condition of their probation. They will only be permitted to leave their homes to go to work, and another alarm installed in the batterers' homes will sound if they leave at an unscheduled time.

Since many of the domestic abuse cases are alcohol-related, Dreese said, some of the batterers will also have alcohol-detection devices installed in their homes, which will be connected by telephone to the monitoring center. He said the men will be required to give breath samples at required intervals. If they fail the test or attempt to have someone else give a sample to the detector, which utilizes voiceprint identification, an operator will notify police.

Dunbar, of Safe Shelter, said counselors will carefully review the case history of each batterer to decide who gets the devices. A batterer's

criminal record, the severity of abuse and whether or not a weapon was ever used against the victim are some of the criteria counselors will consider.

"One of the important things I will be looking at, as a counselor, is whether or not the individual accepts the responsibility of being abusive," she told LEN. "If they continue to blame the system and blame the victim and everyone else, apparently they're not ready to take responsibility for their actions, so I will be very cautious about putting someone like that on the program."

Dreese said a judge must grant the final approval to allow the convicted batterers to participate in the program. While some men may enter the program before serving any jail time for domestic abuse, said Dreese, men already incarcerated on spousal abuse or assault and battery charges can be placed on probation and enter the program.

With convicted batterers constituting about 10 percent of the 349 inmates at the Berrien County Jail, Kimerly said he expects the

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## New Orleans chief touts lofty gains in ambitious plan to reform department

By Jacob R. Clark

New Orleans Police Supt. Richard Pennington last month released a summary of results from an ambitious departmental reform plan which the former Washington, D.C., police official formulated shortly after being appointed in October 1994.

Among the achievements touted by Pennington:

¶ A community policing plan has helped cut the murder rate in one of the nation's most violent cities by 18 percent. In three public housing developments where Pennington deployed Community-Oriented Police Teams last February, homicide has dropped by an eye-popping 83 percent.

¶ In less than a year, homicide clearance rates have increased from 37 percent to 50 percent. The figure is still well below the national average of 67 percent, but Pennington attributes the improvement to better training and an infusion of 10 investigators.

¶ A multi-pronged attack against

corruption and lawlessness among New Orleans police officers has restricted off-duty detail work to 20 hours a week and altogether banned such work in bars and liquor stores. The monbund Internal Affairs Division has been abolished and replaced with a Public Integrity Division, with an office away from police headquarters to encourage public reporting of police misconduct. Efforts to weed out corrupt and criminal officers are being aided by the FBI, and an early-warning system is monitoring complaints against officers in

order to nip misconduct in the bud.

¶ Pennington has imposed tougher recruiting standards, including new automatic disqualifiers that would preclude many applicants from joining the force. Background checks have been retooled with an eye toward keeping out those with a proclivity toward misconduct. "We probably now have the toughest hiring standards in the country," said police spokesman Lieut. Marlon Defillo. "We went through 600 applicants recently, and only 17 met our requirements."

¶ In-service training, previously a once-a-year experience at best, is now an almost weekly occurrence for all members. "Training has been put on the front burner," said Lieut. Carl Haydel, the vice president of the 200-member Black Organization of Police.

¶ Pennington won approval in July for a 5-percent pay increase for all city employees, including police. In September, a mayoral panel recommended that base salaries for New Orleans police officers, which start at \$15,674,

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## Cops jam exits as talent drain decimates DC's police force

Salary cuts, attrition and the lure of substantially higher pay from other law enforcement agencies in the area are decimating the Washington, D.C., Metropolitan Police Department, where nearly one out of seven officers has quit or retired in the past year.

The massive exodus of nearly 600 officers, which officials believe is the largest number ever to leave the agency in a single year, includes some of the department's most seasoned and experienced investigators and its most promising young officers. The Washington Post reported last month.

Hundreds of veterans with 20 years or more on the force jumped at a early-retirement buyout offer cobbled together by District officials to help stanch the flow of budgetary red ink. Those who resigned this year were eligible for a cash incentive of up to \$24,000.

And as District officers head for the

exits, police recruiters from other agencies are signing them up at a record pace, promising them higher salaries, better working conditions and a cheaper cost of living.

"I'm very concerned," Police Chief Larry D. Soulsby told The Post in a recent interview. "They're taking the best and the brightest. There are significant numbers of officers leaving or considering leaving."

The situation deteriorated last April when District officials imposed a 4-percent pay cut in the base salaries of officers and detectives. Overtime was also eliminated; officers who put in extra hours now are paid at the regular hourly rate.

The situation has left officers demoralized, prompting scores of them to jump ship, according to the Chief. "They're saying, 'Why be in the middle of D.C., where most violence occurs

and you're among the lowest-paid officers in the area, when you can go to another department and make \$5,000 to \$10,000 more?'" said Soulsby, who has gained a reputation as a problem-solver in his 24 years with the department. [See related article, page 4.]

And Assistant Chief Max Krupo said there is no shortage of law enforcement agencies eager to hire away D.C. cops, and many permit lateral transfers. "Other agencies and departments are lining up to steal our people," he charged. "They float in here and put their feelers out. This is a major issue for us. It's not just the number of people who are leaving. It's the quality of officers we're losing."

Many of the officers go to higher-paying agencies in outlying areas of Maryland and Virginia. While officials of those agencies acknowledge

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## What They Are Saying:

**"This is a huge social disaster in the making. If one in three white men were under criminal justice supervision, the nation would declare a national emergency."**

— Marc Mauer, author of a report by *The Sentencing Project*, which found that one in three young black males is either imprisoned or on probation or parole. (11:1)



# Around the Nation

## Northeast



**CONNECTICUT** — Psychological testing will be required of all police applicants under a new state law which is aimed at reducing localities' exposure to negligence lawsuits.

A Hartford police recruit is suing the department, charging that he was rejected because he is a white male. Brent S. DiGiorgio, 38, scored 150 out of a possible 160 on the written exam, but got a low rating on the oral portion of the test. According to DiGiorgio's civil suit, the two non-white members of the oral review board found that he had difficulty understanding and establishing a "comfort level" with diversity. The one white reviewer, however, found DiGiorgio to have strong community involvement and wrote that he is able to solve community problems.

**DELAWARE** — Under a law now being enforced by state officials, sex offenders must register their addresses with state police.

**DISTRICT OF COLUMBIA** — Officer Scott S. Lewis, 28, was mortally wounded on Oct. 6 when a gunman walked up to Lewis and his partner as they were helping a deaf-mute man and shot the officer in the head. The gunman, identified by police as Melvin Darnell Pate, 30, was shot and killed by Lewis's partner, Officer Keith DeVille. Lewis, who had been on the force just two years, was rushed to the hospital in critical condition. He died Oct. 9.

**MAINE** — In the state's first gun buy-back program, held last month in Portland, some 225 firearms were turned in in exchange for gift certificates.

**MARYLAND** — Cpl. Laura Byrd, a white Prince George's County deputy sheriff married to a black man, is suing a former colleague for allegedly sending a racist and threatening letter to her home in November 1994. Robert L. Colgan, who retired three weeks after the incident, allegedly implicated himself in a conversation with a colleague which was recorded and played for Byrd. Colgan's wife, Sally Anne, told investigators that she and her husband did not approve of women in law enforcement, homosexuality, and interracial couples.

**MASSACHUSETTS** — With 34 deaths from domestic violence so this year, the state may eclipse the record of 44 set in 1992.

The brother of Lynn Police Officer

Gary L. Twyman, who was killed last month, is blaming the department for his brother's death because it had not restored the officer's authority to carry a weapon. Twyman was slashed to death by Jeffrey Doucette, 23, in the apartment of a Lynn woman who had accused Doucette of abusing her child while babysitting. Twyman, 39, had been ordered to surrender his weapons last December after a fourth restraining order was filed against him by his girlfriend. Twyman's brother, Robert, said the issue had been resolved by last summer but that the department would still not restore his brother's firearm.

**NEW HAMPSHIRE** — Nashua Police Chief Clifton Largy is defending officers who made a woman walk on a leg that was broken during her arrest on disorderly conduct charges, saying the officers did not know she was hurt. The woman, Kelly Dionne, has filed a \$2.5-million lawsuit.

**NEW JERSEY** — Only 26 semiautomatic weapons have been turned over to authorities during the five years the guns have been banned by the state, according to a report by The Newark Star-Ledger. The ban requires that owners surrender the guns, sell them out of state, or disable them.

Customs agents seized 576 pounds of cocaine on Oct. 19 in Port Newark. The cocaine, shipped by the Cali drug cartel and due to arrive in Queens, N.Y., was stashed among household goods shipped from Puerto Rico.

Lisa Giacobbe last month became the first woman to win the Bergen Police Academy's Top Gun award for 100-percent accurate shooting during firearms qualifications. Giacobbe, a corrections officer with the Bergen County Sheriff's Department, said she began shooting at turkey shoots when she was 6 years old.

**NEW YORK** — New York City Police Officer Darrin Edmonds of the 24th Precinct was placed on modified assignment last month after a gang member testified that Edmonds had tipped off the gang when drug raids were pending. Edmonds had been the focus of an ongoing criminal investigation prior to the testimony of the gang member, Raymond (Dillinger) Rivera, said police sources.

Federal agents believe that an address book taken from the wife of an accused Middle Eastern terrorist at Kennedy Airport last month contains the names of suspected terrorists across the country. According to an affidavit filed in Manhattan Federal Court, Nadia Mohamed el-Ashi's book includes the numbers of two men linked to a 1993 plot to blow up sites around New York City.

New York City Police Officer Daniel Perez, 25, and former officer David Quinones, 28, pleaded guilty Oct. 16 to charges that they demanded and received payoffs of \$50 to \$60 to ignore crack cocaine sales at a Brooklyn bodega.

Integrating the fields of security management with fire protection, John Jay College of Criminal Justice in New York City has launched a new master's degree program in protection management. The program, which is offered this fall, gives professionals advanced education in the theory, design, and management of security and fire protection systems in public, commercial and residential settings.

Three female New York City police officers last month filed sex-discrimination complaints against their commanding officer at the 50th Precinct, Deputy Inspector William Kissik, alleging that he refers to women, including domestic abuse victims, as "bitches," and also threatened to shoot one of the women in the head. Kissik claims that the officers were disgruntled and face disciplinary charges.

In an unprecedented move, New York City police officers last month began raiding city shelters to arrest homeless people wanted on felony charges. Fifty arrests have been made so far, mostly on drug charges. Police gave the city's Department of Homeless Services a list of suspects to check against names in shelter records. While 125 initially matched, some of the residents had moved before police staged their raids.

The state's highway fatality rate fell last year to its lowest level — 1,669 — since 1944, the height of World War II. The 6-percent drop is the seventh straight year that fatalities have decreased, state officials said.

New York State pays \$7 million a year on legal services and other expenses for prison inmates — the most of any state, according to a state Senate report released in October. During the past 20 years, inmate lawsuits against the state have jumped from 25 a year to 7,000 in 1995, due largely to taxpayer-provided legal assistance, according to the survey.

The New York City Mayor's Commission on School Safety has come out strongly in favor of a police presence in city schools, following hearings on the issue held last month. Commission members said that the existing Division of School Safety kept poor records on school violence and failed to follow up on recommendations to improve the screening, training, and supervision of school safety officers.

Allegations of graft within the New York City Police Department fell by 17 percent during the first six months of this year, but officials are still concerned by high concentrations of complaints in some of the city's minority neighborhoods plagued by drug dealing. The 957 allegations for the first half of this year — down from 1,152 in 1994 — included 339 complaints of officers using or selling drugs, 116 complaints of officers stealing property, and 34 accusing officers of abusing suspects. There were also 48

allegations of officers taking gratuities. Black and Hispanic neighborhoods in the northern part of Manhattan, the central Bronx and central Brooklyn were at the top of the list for corruption complaints this year.

Police and FBI agents in Buffalo say they have crippled a major drug ring with ties to the Dominican Republic and Colombia, following a series of raids and indictments against 55 people.

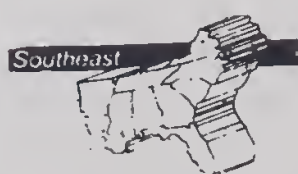
An internal New York City Police Department memo outlining long-standing practices for how to avoid friendly fire was released in October. The four-page memo from Chief of Department Louis Anemone listed several practices for plainclothes officers, including wearing headbands and wristbands in a previously agreed upon color, and displaying their badges on a chain as soon as feasible. Also, plainclothes officers should not enter a building where a burglary or other crime is taking place without first donning an NYPD baseball cap or windbreaker.

For the first time ever, New York City police recruits will spend time on the streets before graduating from the police academy. The Police Department's Chief of Personnel, Michael Markman, said that nearly 2,000 recruits will be placed on patrol assignments in early December, at the end of their fifth month at the academy. The recruits will spend four weeks on patrol before returning to the academy for a final month of classroom training.

**PENNSYLVANIA** — Nine drug convictions were overturned in Philadelphia last month because the cases were made by officers caught up in a police corruption scandal. So far, 55 cases have been dismissed in the wake of the scandal.

Testifying against 12 people charged in July with running a fencing operation, an undercover state trooper said he saw at least two former Philadelphia police officers trafficking in stolen goods. One of the officers, Steven Brown, was among the six officers who pleaded guilty to Federal conspiracy charges in an ongoing corruption investigation. Trooper Barry J. Harvey said the operation was run out of a store owned by a former police officer, and with the apparent cooperation of police. During several hours of testimony, Harvey said that uniformed police officers were present when he posed as a drug addict and sold stolen merchandise at the store.

**RHODE ISLAND** — North Smithfield Police Chief Roger Remillard was fired in October after a report accused him of fixing traffic tickets and misleading another police department about a theft. Remillard says he plans to sue.



**ALABAMA** — A proposed statewide curfew that would give police automatic probable cause to stop teen-age drivers has met with resistance from

some members of a Citizen's Commission on Youth Violence empaneled by Gov. Fob James. Under the proposal, cities could enact a school-day curfew and a 10 P.M. nightly curfew, with street patrols to be conducted by squads of church volunteers. Anthony Jordan, a Birmingham city employee representing Mayor Richard Arrington at the commission's first meeting in October, said that he feared the curfew infractions would come down more harshly on some than on others. While others on the panel agreed that abuses would occur, the curfews were defended as essential to cutting back on youth crime and violence.

In an effort to reduce auto theft in Birmingham, police are now ticketing drivers who leave their keys in the car. Police say 435 cars were stolen in September.

**ARKANSAS** — Fayetteville police last month arrested Brian Ricks, 38, in the act of raping a 19-year-old. The victim called 911 and hid the receiver under the pillow while she was being raped.

A 25-year-old Rogers man, Johnny Lee Nichols, was charged in October with going door-to-door, trying to swap dynamite for sex or drugs. Five and a half sticks of dynamite were found in his car.

**FLORIDA** — Broward County Circuit Judge Leroy Moe last month issued a Feb. 16 deadline for solving the Adam Walsh murder case. If the 14-year-old case is not solved by then, the judge said, the case files will be open to the public.

Eleven people suspected of being part of the Cali, Colombia, drug cartel were arrested Oct. 12 after authorities seized 3,500 pounds of cocaine from a Miami warehouse. The haul was valued at \$33 million.

**GEORGIA** — A Secret Service agent who guards former President Jimmy Carter was arrested Oct. 9 on rape charges. Keith Larsen, 41, is being held without bail, accused of attacking a 31-year-old woman.

Thirty people have been arrested, and 24 have pleaded guilty, in what authorities are calling one of the most novel fraud schemes ever seen in the Atlanta area. By gleaned financial information from credit card receipts and deposit slips left in dumpsters, the loose-knit gang of thieves was able to create fake Social Security cards and other forms of identification using high-tech computer graphics. They then used the fake IDs to open checking accounts, make unauthorized credit-card purchases, and file false tax returns, said Federal agents.

**LOUISIANA** — A Federal jury in New Orleans last month awarded \$2 million in medical expenses to James Snyder, 34, who was shot and paralyzed while fleeing from a city police officer.

Two New Orleans police officers accused of raping a 14-year-old girl were fired in October on administrative charges. In May, the girl told a detective from the Public Integrity Division that the two officers, Frank Oliver and William Moore, took her to

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a motel room and took turns raping her. The officers were reinstated after 120 days due to Civil Service limits on suspension. A police spokesman said the two were fired for neglect of duty, lack of truthfulness, lack of professionalism, and filing false or inaccurate reports. No decision has yet been made on whether the two will face criminal charges, said a spokeswoman for the District Attorney's office.

**MISSISSIPPI** — Warren County Sheriff Paul Barrett faces up to 10 years in prison, a \$500,000 fine and expulsion from office after being found guilty Oct. 12 on two felony counts of perjury.

**SOUTH CAROLINA** — Some domestic abuse victims in Charleston will be given tiny panic-button pendants that they can use to summon help in an emergency. The system, called AWARE, is made available free of charge. [See LEN, Sept. 30, 1995.]



**ILLINOIS** — Chicago narcotics investigators made the biggest bust in DuPage County history in early October — 1,211 pounds of marijuana and 347 kilos of cocaine worth an estimated \$47 million. The drugs, seized at an apartment in the Chicago suburb of Bloomingdale, are believed to have been shipped from a drug cartel operating out of Durango, Mexico. Four men were arrested in the raid; three were from Bloomingdale and one from Chicago. The key to the case came from a confidential informant who told investigators that a shipment was due.

Two Chicago police officers who survived an ambush on Sept. 10, 1994, have been presented with the department's highest award, the Carter Harrison Medal. Officer Michael A. Robbins was shot 11 times and Officer Talmitch L. Jackson was shot six times when a gunman approached their car from the driver's side and without warning, began firing. The officers had been responding to a report of shots being fired in an alley.

Two boys, ages 11 and 12, who confessed to throwing a 5-year-old boy from the 14th floor of a Chicago building in October 1994 were found guilty by a juvenile court judge on Oct. 18. The defendants claimed that the child, Eric Morse, had angered them when he refused to steal candy for them. Under state law, the youths could receive a suspended sentence or could be placed in an unsecured residential site until the age of 21. There are no locked facilities in the state for offenders under 16. However, new laws passed in the wake of this crime make it easier to try juveniles as adults and allow locked facilities for offenders as young as 10.

**INDIANA** — The Fort Wayne News-Sentinel has begun tracking individuals charged with soliciting prostitutes, and publishing their names upon conviction.

Syracuse Town Marshal Robert Ziller, 61, resigned in October amid

charges that he ordered police not to arrest drunk drivers.

**MICHIGAN** — The town of Sturgis is encouraging children to collect "cop cards" that have the names and faces of local police officers, along with biographical information and safety tips. The 26-card set, the cost of which was absorbed by local merchants, is aimed at exposing youngsters to positive role models, according to Police Chief Eugene Alli. Some of the athletes pictured on traditional baseball cards, said Alli, have been charged with doing drugs or are in jail.

**OHIO** — School administrators and police in Dayton are planning to go after students and their parents in an effort to cut down on truancy. Children found on the streets during school hours may be detained by officers.

The Woodlawn Police Department hired four new officers last month, beefing up the department's ranks to a full complement of 15. Positions in the department had opened up with the retirement of Lieut. Walter F. Obermeyer, the appointment of Patrolman Ernie McCowen as police chief in Lincoln Heights, and career changes for two other officers.

A Federal rule barring commercial truck and bus drivers from using radar-detection devices to avoid speed-limit enforcement was upheld Oct. 2 by the U.S. Supreme Court. Acting on an appeal from an Ohio truck driver and a group representing manufacturers and users of radar detectors, the Court agreed with a lower court's decision that the rule was enacted to reduce the severity of accidents that could be caused by heavy vehicles traveling at excessive speed.

As of Oct. 20, Ohio drivers who are stopped by police are required to show proof of insurance.

**WISCONSIN** — No sooner did the Milwaukee Sentinel publish a profile last month of 98 people wanted by authorities than Police Department telephones began ringing. Within a few hours after the newspaper hit the stands, police had already arrested three of the fugitives.



**IOWA** — Nineteen people who were part of a drug ring in the eastern part of the state were arrested in early October on money laundering, drug and firearms charges.

**KANSAS** — More than 1,200 officers from 75 agencies in five states attended the funeral of 31-year-old Topeka Police Officer Tony Patterson, who was shot in a drug raid Oct. 12.

**MISSOURI** — A 9-year-old St. Louis boy faces possible manslaughter charges in the death of a substitute teacher, 51-year-old Nedra Morris. According to authorities, the unidentified boy, who was unhappy with an assignment, pummeled Morris in the chest. Although Morris had heart disease, the death was ruled a homicide.

Investigators from the Greater St. Louis Major Case Squad not only arrested a murder suspect Oct. 10, but found \$250,000 in cash and a plastic bag filled with cocaine. The 18-year-old suspect, an unidentified Jennings man, was sought in connection with a fatal shooting that police say grew out of a feud and a case of mistaken identity.

**NEBRASKA** — A man who had been a Federal fugitive for over 20 years, Salvador Sarias, 50, was arrested last month on drug charges after he was stopped on Interstate 80 near Grand Island.

**NORTH DAKOTA** — To cope with rising juvenile crime, West Fargo is considering a curfew for youths under 18 that would run from 11 P.M. to 6 A.M.

**WYOMING** — The state Supreme Court last month upheld the constitutionality of a state law that allows some juveniles to be charged as adults. The court rejected two separate challenges, one from a teen-ager charged with the rape of his stepmother.



**ARIZONA** — As of mid-October, Tucson was one murder away from matching its all-time record of 54, set in 1970. Police blame the city's rapid growth for the deadly toll.

**NEW MEXICO** — The state Supreme Court ruled in October that seizing the license of a drunken driver at the scene, and then making the driver face trial with the possibility of additional punishment does not constitute double jeopardy.

**OKLAHOMA** — The man suspected of poisoning bottles of Tylenol in 1982 was released from prison in El Reno in October after serving 12 years for trying to extort money from Johnson & Johnson, the parent company of the drug's manufacturer. James W. Lewis, 49, an unemployed accountant, was never charged with the deaths of seven people in the Chicago area who took the cyanide-laced Tylenol, although he was the prime suspect. Lewis admitted to sending a letter to the company demanding \$1 million "to stop the killing," but said he did so to embarrass his wife's former employer by having the money sent to the employer's bank account.

A 4-year-old Tulsa boy has been barred from returning to his Head Start preschool until school officials are assured that he will not bring a gun to class again. The boy came to school with a loaded .25-caliber pistol he got from his grandmother's house.

The U.S. Supreme Court last month let stand a ruling that protects three Tulsa police officers from being sued by survivors of a 1990 car accident that occurred when a stolen van being chased by the officers crashed into their vehicle, killing three passengers. The U.S. Court of Appeals for the 10th

Circuit had ruled that at the time of the accident, it was not yet established that a police officer could be held liable under Federal civil rights law for injuring someone as a result of chasing a fleeing felon.

**TEXAS** — The Dallas Police Department has come under fire after a suspect in a serial murder case claimed he was coerced into signing a false confession. The man, Michael Martinez, 22, said police had "tricked" him into signing a statement that contained a confession. He said that after he read what he signed, he tried to recant, but police threatened to arrest his girlfriend and take away her children. The District Attorney's office has denied that police coerced a confession out of Martinez. Police have since charged another man, Juan Rodriguez (Johnny) Chavez, 27, in connection with 11 slayings. The murders, mainly of Hispanic men in a poor section of the city, were only discovered to be the work of a serial killer in September. The department's alleged inattention to the slayings, which have occurred since March 1994, has also brought it under criticism.

The Texas Department of Public Safety said in October that hate crimes fell from 436 reported in 1993 to 389 in 1994. The Texas Civil Rights Project, however, claims that the crimes are not reported adequately.

**UTAH** — Authorities are worried that nine of the state's street gangs have formed an alliance based on sharing profits from illegal gun-running, drug dealing and stolen property. According to The Deseret News, the super-gang, which calls itself the Murder One Family, boast 119 members. It is believed to have started at the Decker Lake juvenile detention center and has been active for eight to 18 months.

Salt Lake City officials said last month that a three-year-old program of fingerprinting and background checks of teaching applicants has helped reduce the number of misconduct cases from 47 to 27.

Clyde Maestas became the first man in the state to be sentenced to life in prison under the Federal "three-strikes" law. Maestas was charged with bank robbery.



**ALASKA** — A roadside search for marijuana has been declared illegal because the trooper in the case told the motorist to "hand it over," after reportedly smelling marijuana in the car. In a Sept. 25 ruling, District Court Judge William Fuld dismissed charges against the defendant because the trooper's phrase was a demand, not a choice, and thus no valid consent was given.

**CALIFORNIA** — Two men who sued the police departments in Santa Ana and Costa Mesa after being bitten by police dogs while trying to avoid arrest lost their appeal to the U.S. Supreme Court last month. The Court let stand a

ruling that said the plaintiffs, Craig Brooks and Thomas Shannon, had not proved unconstitutional use of excessive force. The U.S. Court of Appeals for the Ninth Circuit found that there was no "clearly established law" barring the use of dogs in such circumstances.

Santa Barbara police are working to eliminate gang activity in the city before it can get a foothold. While Santa Barbara, a city of 90,000, averages only four or five homicides a year, including those from gang activity, police are still concerned. A \$1.5-million Federal grant won by the Police Department earlier this year will pay for educational programs in high schools, training more officers in anti-gang work, and hiring additional prosecutors.

Under a law signed Oct. 10 by Gov. Pete Wilson, violent sex offenders can be confined indefinitely to mental hospitals after their sentence is served if a mental evaluation determines a disorder. The law was prompted by the planned release last year of Reginald Muldrew, a convicted felon suspected of committing more than 200 rapes in the 1970s. Muldrew's parole was revoked after Covina-area residents gathered more than 19,000 signatures to protest the move. He is due to complete his sentence and be released, however, in December, just weeks before the new law takes effect.

A law signed in October requires the expulsion of any student who brings a gun to school or pulls a knife on classmates or teachers.

A bill that would have allowed AIDS and cancer patients to use marijuana was vetoed last month by Gov. Pete Wilson.

**NEVADA** — A task force concluded last month that consolidating the Washoe County Sheriff's Department and the Reno and Sparks police departments would cost at least \$5 million more a year.

**OREGON** — Silent Witness, an exhibit focusing on the 16 women in Oregon known to have died in domestic violence during 1993 and 1994, opened in October at the Sacred Heart Medical Center in Eugene.

**WASHINGTON** — A Pierce County Superior Court judge ruled in October that cancer patient Ralph Seeley's right to receive medicinal marijuana overrode the state's interest in outlawing such a prescription. In what may be the first decision of its kind in the nation, Judge Roseanne Buckner called it "monstrous" that the terminally ill could not use marijuana medicinally.

The state Court of Appeals last month ordered the Pierce County Superior Court to determine whether the county Sheriff's Department's chaplaincy program is religiously neutral. The case stems from a 1993 lawsuit which charged that the nine-year-old, volunteer program violated the state constitution because public money or property was being expended on chaplains who "engage in religious worship or exercise." The suit, which was thrown out, also charged that the program was a front for a "Christian ministry."



## Brass tacks

Washington, D.C., Police Chief **Larry D. Soulsby**, the 24-year District police veteran appointed last month by Mayor **Marion Barry** to lead the beleaguered 3,800-officer agency, pledged to "immediately address crucial issues" affecting the department "to ensure that our heirs will have the finest future possible."

Soulsby has been acting chief since the retirement in July of **Fred Thomas**, now the public safety director of Prince George's County, Md. Soulsby, 45, is the first white man to head the Metropolitan Police Department since 1977.

In a speech on Oct. 30 in which he accepted the appointment, which is subject to confirmation by the District Council, Soulsby outlined an ambitious agenda for restoring officer morale, increasing community policing efforts, shoring up training and providing efficient police services in the face of dwindling resources. [See related article, page 1.]

"Without a doubt, crime and the anxiety it generates remains the No. 1 issue facing our citizens," he said. "We must take the lead in reducing both. . . . To accomplish this, our efforts must be based on prevention more

## Chief takes a seat on the sidelines

### Newark's Celester relieved of duty as Federal probe continues

Newark, N.J., Mayor **Sharpe James** put Police Director **William R. Celester** on paid administrative leave Nov. 13, four days after Federal investigators raided the Celester's home and office as part of a wide-ranging, 18-month investigation into municipal corruption.

Celester, a former Boston deputy police superintendent who has led the 1,290-officer Newark Police Department since 1991, was relieved of active duty because allegations of corruption and malfeasance had become a "major distraction to the orderly day-to-day operations of the Newark Police Department," the Mayor said.

James appointed Chief **Thomas O'Reilly**, the department's No. 2 official, as acting director.

Celester, 52, is being investigated for allegedly taking protection money from drug dealers, selling transfers and promotions for as much as \$500, using police money for personal expenses, and possible tax fraud. Federal agents also are looking into fund-raising activities, focusing on a series of birthday parties thrown by city officials, who allegedly sold tickets and then pocketed the proceeds.

The director's attorney, **Anthony Pope**, said Celester denies all of the charges. "There is no factual basis



**William R. Celester**  
Can he come back?

to support any wrongdoing," he added.

Federal agents reportedly used drug-sniffing dogs in the Nov. 9 searches of Celester's home and his office at Police Headquarters because they were looking for drug-tainted protection money, but none was found. The New York Daily News reported. Pope said Celester was "really appalled. . . . that the government would come with so many agents and take his office literally hostage" during the searches, adding that staffers were ordered to stay put for more than four hours while

investigators rummaged around the office.

James, Celester and **Jackie Mattison**, a New Jersey legislator who is also a top aide to James, have long acknowledged being the targets of an investigation by the office of New Jersey U.S. Attorney **Faith Hochberg**. Federal agents turned up more than \$100,000 in cash in a search of Mattison's home Nov. 9.

The ongoing investigation has apparently taken its toll on the Police Department, which is battling one of the highest crime rates in the nation and finds itself increasingly at odds with Newark residents. In a straw poll conducted on Election Day, Newark voters said they were unhappy with police service by a margin of 2-1, citing a lack of street patrols and response times of 20 minutes or more.

Det. **Rocco Malanga**, president of the Newark Policeman's Benevolent Association told The New York Times that James made the right decision in removing Celester. "To the rank and file, it's important to have a clear command structure, to know who's in charge and to have confidence in the leadership of the department," he said.

Other city officials wonder whether Celester's reputation will recover — even if the allegations are ultimately deemed unfounded. Councilman **Henry Martinez**, a former Newark police

officer, said it would difficult for Celester to resume his duties because his reputation "has been tarnished and damaged."

The searches also raised the prospect of a takeover of the department by the office of Essex County Prosecutor **Clifford J. Minor**, who said the events surrounding Celester could further erode public confidence in the police. Commenting a day before Celester was placed on leave, Minor, a former Newark police officer, told The Newark Star Ledger: "There needs to be some monitoring to assure the confidence of the residents of Newark in their Police Department."

"I am not saying Celester should be removed from office," Minor continued, "but you have to look at the operation of the Police Department when the home and office of its director are being searched by another law enforcement agency. The rank and file begins to question the ability of its leaders."

Minor's office is conducting its own investigation into what happened to \$250,000 seized by Newark police in drug cases between January and September. Minor maintains there are few records to account for the whereabouts of the cash, but police officials say the money can be accounted for.

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so than apprehension after the fact. Steps toward this end include increasing the high visibility of uniformed patrol officers, full implementation of community-empowerment policing and improving crime-prevention education."

Soulsby said he would reinstate a robbery squad that was disbanded in 1994 to reduce the increasing robberies of businesses such as banks and hotels. In addition, he added, small auto-theft squads will be reestablished to blunt that growing problem, he added. Police will also continue their efforts to reduce the number of illegal firearms as well as Operation Red Zone, a crackdown instituted earlier this year on over 70 open-air drug markets.

Crucial to those efforts, the Chief said, is a reallocation of uniformed personnel that will include civilianizing some administrative positions to free up to 200 officers for patrol. Acknowledging the continued decline in the number of uniformed personnel, Soulsby called for the city to provide funds to allow 110 current vacancies to be filled. "We will continue with our new recruiting practices to ensure hiring only the most qualified people," he said.

Recent early retirements have reduced the agency's staff of executive officers by as much as 50 percent, and to fill that gap in experience, Soulsby announced he will institute an executive training program for "every inspector, deputy chief and assistant chief on various matters from the budget to public speaking" in January, when a revamped in-service training program also will be introduced.

Alluding to a rash of criminal incidents involving police officers that has plagued Washington and other big-city police departments in recent years, Soulsby called on his troops to "work even harder to maintain the respect and trust of the people."

"As officers we must also look within ourselves and examine the culture of police officers," the Chief said. "We must work to reeducate members so they understand that law enforcement officers are a part of the communities which they have taken an oath to protect and serve. We must take steps to avoid the slightest appearance of behavior which could possibly be perceived as breaking that solemn oath."

A native of Surveyor, W. Va., Soulsby joined the Metropolitan Police Department as a patrol officer in 1971 and

rose steadily through the ranks. In 1991, Soulsby was promoted to commander of the city's Third District, where he instituted the community-empowerment policing program and formed 20 neighborhood policing teams.

## It's academic

Noted criminologist and crime researcher **Lawrence W. Sherman** has been named chairman of the University of Maryland's top-ranked Department of Criminology and Criminal Justice.

Sherman, a member of the department's faculty since 1982, was appointed to the post Sept. 20.

Known nationwide for his volumes of research on the effects of crime control and prevention strategies in efforts to reduce gun violence and domestic violence, Sherman recently served as chief criminologist of the Indianapolis Police Department. Since 1994, he has been an adjunct professor

at Australian National University's Research School of the Social Sciences, where he is principal investigator of an experiment into the use of shaming and forgiveness by victims and parents of juvenile offenders. The Reintegrative Shaming Experiment, known by the acronym RISE, is said to be the largest criminal justice research project ever undertaken in Australia.

The author of more than 100 scholarly publications, Sherman's 1992 book "Policing Domestic Violence," won the American Sociological Association's Award for Distinguished Scholarship in Crime, Law and Deviance. Some of Sherman's research has been conducted under the auspices of the Crime Control Institute, a Washington, D.C.-based research organization of which he is president.

Sherman succeeds **Charles Wellford**, who stepped down after serving as chairman of the department since 1981. Wellford will continue his work as president of the American Society of Criminology and will assist UM president **William E. Kirwan** in a new initiative to provide technical support to Maryland policy-makers.

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# Pa. police department has revolving door to chief's office

An unexpected death, knee surgery and hard economic times have contributed to an unusually brisk turnover rate among police chiefs in Homestead, Pa., which has had three men in the job since June.

Last month, borough officials appointed Don Aubrecht, 41, a part-time Homestead police officer who also is security chief for the nearby Sto-Rox School District, as the Police Department's part-time chief. Meanwhile, one of Aubrecht's predecessors, Ellsworth Ford, who had been chief until June, when he took a medical leave, wants his old job back.

Ford, now working as a sergeant for the agency of seven full- and 14 part-time officers, has filed a grievance with the Pennsylvania Labor Relations Board, seeking to undo a change approved in August by the Borough Council that cut the chief's job from full to part time. The action was taken as part of a state-assisted plan to regain fiscal solvency, including closing a \$100,000 Police Department budget gap, according to Borough Manager Mary Flagg.

Homestead has been designated a "financially distressed" municipality by the state and must take drastic steps

under a plan overseen by the Pennsylvania Department of Community Affairs to get its financial house in order. The once-prosperous steel town of about 4,000 residents, located on the Monongahela River opposite Pittsburgh, is receiving grants and no-interest loans from the state "to pull us up by our bootstraps" and the Police Department's budget situation threatens the borough's financial recovery plan, Flagg said.

As full-time chief, Ford had received about \$45,000 a year, including benefits. But he declined to accept the part-time position, which pays \$18,000 a year with no benefits, and reverted back to his former rank of full-time sergeant. He filed a grievance with the state board contending that making the chief's position part-time was illegal and requesting that he be returned to the position he held for five years.

That would be just fine with Aubrecht, who told Law Enforcement News he sees himself as a sort of caretaker for the department until it can move out from under the budget crunch. "I made it clear to the Council at the time of my appointment that I will stay here until two things occur — either the state board rules to reinstate Ford or we

become financially stable to where I feel a full-time chief can be appointed. At that time, I will step down and recommend that that position be filled with a full-time chief. I don't want the job," he said.

But Aubrecht said he hopes his tenure — however long it is — will help the agency regain some stability and improve officer morale, which has been hurt by continuing changes in management. Former Pittsburgh Police Chief Mayer DeRoy was appointed to succeed Ford, but he died unexpectedly of a heart attack Sept. 23 while on vacation in Las Vegas. "The need for services increased, and to top all of that off, there's been various changes in management. So when you put all of that together, it's not good for morale," noted Aubrecht.

Aubrecht said he is in the awkward position of having to make unpopular decisions like limiting overtime and other expenses, but added he must do so to save the agency.

"It's not an easy — or popular — task when you're making cuts to hold the line and it's cutting overtime, but it's something that has to be done for the future of this department," he noted. "Regardless of what happens, I have a full-time job, so what I'm trying to do is secure this job for the future of these sergeants who work for me who are raising their families here."

Aubrecht currently outranks Ford, his former chief, and despite the unusual turn of events, he said he'd like nothing better than to see Ford lead the department once again. "I still work with Chief Ford and I respect the man. He's got over 20 years on this department. I would have no trouble giving Chief Ford back his office," he said.

# Sexual assault is a "violent epidemic" — and getting worse

## AMA says biases add to problem

More than 700,000 women are sexually assaulted in the United States each year — with the vast majority of victims under the age of 18 — in what the American Medical Association termed a "silent, violent epidemic" that is the fastest-growing category of violent crime in the country.

The violence occurs at the rate of one sexual assault every 45 seconds and is growing "at an alarming rate," according to an AMA report released Nov. 6.

"This crime is shrouded in silence, caused by unfair social myths and biases that incriminate victims rather than offenders," said the AMA's president, Dr. Lonnie Barstow, in a statement accompanying the report. "These myths push victims into the shadows, afraid to step forward and seek help from their physicians."

Statistics gathered by the organization show the staggering extent of the problem: 61 percent of female rape victims are under age 18. Three-quarters of the attacks are committed by a friend, acquaintance, intimate partner or family member. And males are victims in 5 percent of the cases.

Domestic violence, child physical abuse and neglect, child sexual abuse and elder abuse is widespread, the report said. Among the victims are 2 million to 4 million women who are battered in domestic assaults each year; 1,500 women who are murdered by their spouses or boyfriends; 1.8 million senior citizen abuse victims and 1.7 million reports of child abuse.

The report urged doctors to become

more informed about the problem and take an active role in discussing possible abuse with patients. Barstow said surveys show people are more comfortable discussing such issues with doctors than with police or religious figures.

The AMA also recommended that medical training focus not only on physical injuries and signs of abuse, but make doctors aware of the psychological, behavioral and social implications of sexual assault and domestic violence.

"The patient you are seeing today who is suicidal may have the root of the problem in a sexual assault years earlier," said Barstow.

Two AMA-sponsored committees have prepared informational materials that will be distributed to emergency rooms, some primary-care physicians and gynecologists. One pamphlet, titled "Strategies for the Treatment and Prevention of Sexual Assault," cites adolescents as a group particularly vulnerable to acquaintance rape because they often blame themselves and seldom report the crimes.

The pamphlet cites a survey of young people between the ages of 11 and 14, in which 51 percent said forced sex was permissible if a boy "spent a lot of money" on a girl, while 81 percent of boys and 79 percent of girls said it was acceptable for a boy to rape a girl if they had been dating for six months.

In addition, 31 percent of the boys and 32 percent of the girls said it was all right for a man to rape a woman who had past sexual experiences.

# When is an assault not an assault?

## NYC's Bratton voids arrest policy

New York City Police Commissioner William F. Bratton has rescinded a Bronx police commander's controversial "guide for assault injuries" that appeared to sharply limit the circumstances under which officers would make arrests in assault cases.

The guide, part of a memo issued in May by Deputy Inspector Anthony Kissik, noted that assailants should not necessarily be arrested in cases in which victims sustained such injuries as "black and blues," "cuts and bleeding," "black eye," "fat lip" or a "bloody nose."

Arrests may be warranted, the guide says, in cases where "substantial pain or impairment of physical condition" have occurred. According to the memo, such scenarios include victims who are hospitalized for treatment, and those with broken limbs or ribs, stitches, fractured skulls, eyes swollen shut, hearing impairments, or broken jaws, hands or noses.

The memo's existence was reported by The New York Daily News Oct. 11 after Kissik reported that the number of assaults in the 50th Precinct, which he commands, had dropped 46 percent between May, when he issued the order, to Oct. 1. Earlier this year, Kissik had reported that assaults fell 20 percent in the first three months of 1995.

Police sources told The Daily News that the assault rate dropped even though the number of violent attacks remained relatively constant.

The Daily News reviewed several cases in the 50th Precinct in which assault charges later were reduced to harassment. Assailants in those cases received only a desk appearance ticket because harassment technically is not a crime under the penal law.

Tom Kelly, the Police Department's chief spokesman, told Law Enforcement News that the memo was rescinded just days after its existence

**A fat lip, black eye or bloody nose might not have been injuries worthy of an assault charge.**

was made public. He also denied press reports that similar orders were in effect in other precincts.

Bratton has ordered a review of the memo "and the circumstances around it," including the way assaults are handled in other precincts, Kelly said. "It was one memo that was sent out with the guidelines for what does and doesn't constitute an assault and the circumstances surrounding it. Assault cases will be handled as they were before without that fine definition and without leaving it to the subjective review of the officer and/or the commanding officer," stated Kelly.

The existence of the memo sparked a flurry of criticism from victims' advocates as well as from New York Attorney General Dennis Vacco, who said the "strict interpretation of the law" evident in Kissik's memo effectively "legalized" domestic violence in the Bronx.

"There is a subtle message running through his memo that for the female victims that receive a fat lip or black eye, there are not going to be able to charge boyfriends and husbands with anything else than a violation," Vacco said.

Others charged that the highly publicized drop in crime reported by New York City officials might be the result of police downgrading some offenses. "You're hearing that crime is going down. Crime is not going down, they're just diminishing the types of crime," said Barbara Ford, who heads the safety program at a Queens senior-citizens program.

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## NYC police merger saved as Gov vetoes PBA-backed bill

New York City police officers who stage work slowdowns or other job actions to protest the veto of a bill that might have hiked their salaries have been put on notice that they risk being fired.

Mayor Rudolph Giuliani vowed the drastic action Nov. 14 following news reports that "small pockets" of protest had broken out in response to Gov. George Pataki's veto of a bill that Giuliani contended would undo the hard-won merger of the city's three police forces and drive up labor costs.

"Let's make it clear to all police officers, they don't have the discretion not to work," the Mayor said. "If the Police Commissioner catches a police officer not working, he'll fire that police officer. We don't tolerate slowdowns. And as far as I'm concerned, anyone engaged in slowing down their work doesn't have any right to be a New York City police officer, or any understanding of what it means to be a police officer."

Angry cops in Brooklyn reportedly responded to the Governor's veto by writing fewer tickets and summonses. In an effort to stop the protest from spreading, Chief of Department Louis Anemone ordered borough commanders to monitor officers' daily activities for any signs of a slowdown and to take appropriate action where indicated.

The slowdown was triggered Nov. 10, when, in a last-minute reversal of an earlier position, Pataki vetoed legislation that would have prohibited the New York City Police Commissioner from forcing cops to accept less desirable assignments in subways and housing projects. It also would have shifted arbitration on contract and labor disputes from the city's Office of Collective Bargaining to the state's Employment Relations Board.

Pataki, who originally drafted the bill while serving as a state senator, said he acted after deciding "the internal affairs of local government entities should not be micromanaged by the state." The veto had been fervently requested by Giuliani, and it came the same day the bill would have automatically become law, with or without Pataki's signature. The measure would have taken effect next November.

The Legislature's approval of the bill was engineered by a massive lobbying campaign by the politically powerful New York City Patrolmen's Benevolent Association. Giuliani countered that the legislation would unravel the merger of the transit and housing police departments into the larger city police force—a feat accomplished in April despite widescale opposition among officers and a flurry

of legal challenges from police unions.

The Mayor cited the bill's provisions barring the city from establishing separate housing and transit police units and preventing the Police Commissioner from involuntarily assigning to the unit officers who were members of the city force before the merger, which he said would give the PBA undue influence over Police Department management decisions. The PBA contended that the provision was intended to prevent the Police Commissioner from making punitive, involuntary transfers of officers to the units.

Giuliani also claimed that shifting the arbitration of contract disputes to the state board would have cost the fiscally-strapped city up to \$200 million in higher wage settlements with the PBA, prompting other municipal unions to push for similar deals and complicating current efforts to negotiate long-term contracts with them.

Police Commissioner William F. Bratton strongly opposed the bill, writing in a letter to the Governor that it would undermine the NYPD's rapid gains against crime, which he said were a direct benefit of the merger.

"Beyond the bill's intrusion into the management of local law enforcement, one must consider the tremendous benefits already reaped by New York City residents and visitors through this historic merger," he wrote.

Giuliani said Pataki acted "courageously" in vetoing an "irresponsible" measure that would have undone the merger, which the Mayor considers one of the proudest achievements of his administration. "The Governor is to be commended for standing up" to the PBA lobbying effort, he said.

Until Pataki's veto, the PBA's efforts had paid off, resulting in passage of the bill by both the Democrat-controlled State Assembly in June and Republican-led Senate, where it was approved Oct. 12 in a 54-1 vote.

But the Governor is not likely to have the last word on the issue. When the Legislature reconvenes in January, PBA officials vow to introduce a new version of what President Lou Matrazzo had termed "the most important piece of legislation ever passed" affecting city police officers.

"Shame on the Governor, shame on the Mayor," Matrazzo said following the veto. The union leader also threatened to organize the PBA's 30,000 members into a voting bloc that "will support only politicians who support us," a thinly veiled threat against Pataki and Giuliani, both of whom the union endorsed during their respective election campaigns.

### *And what a year it's been...*

Yes, it's almost time once again for LEN's annual Year-in-Review issue. Join us for a look back at the events that shaped the year, the people in the news, the trends and statistics, and, of course, our special salute to the Law Enforcement News Person of the Year. (Feel free to take a guess.) It's all coming up in the Dec. 31 issue.



For a few minutes around 1 P.M., on Oct. 3, Manhattan's normally bustling West Side was tranquil. In the office of Law Enforcement News four stories above the street, in a scene that was replicated in thousands of work sites across the country, the normal course of business took a back seat as staff members gathered around a television to watch and listen as a Los Angeles County court clerk intoned: "We the jury . . . find the defendant, Orenthal James Simpson, not guilty of the crime of murder . . ." With those words, car horns and some muffled cheers from people on the street could be heard through the closed office window.

With an estimated 150 million people nationwide watching the verdict live, the reaction on one Manhattan street repeated itself in city after city. Many people rejoiced, saying the American criminal justice system worked as it was designed to, while others were horrified at a verdict they saw as a travesty of justice.

Nearly two months have elapsed since the verdict, and the final chapter in this saga is yet to be written, although some dust has begun to settle. What remains to be assessed, however, is the long-term impact, if any, that the Simpson trial will have on law enforcement and criminal justice.

Law Enforcement News posed this question to more than a score of leading figures in criminal justice, including police chiefs, attorneys, academics and association executives. Refusals to participate were few, with only the New York, Chicago, St. Louis and Philadelphia police departments declining outright to take part. Representatives of the National Organization of Black Law Enforcement Executives and the National District Attorneys Association also offered "no comment."

In a trial in which the role of every participant was scrutinized, from the sloppy evidence-handling by Los Angeles Police Department criminalists and detectives to the courtroom conduct of the prosecutors, defense attorneys and even the judge himself, no one walked away from the Simpson trial without a tarnished reputation. But are the

countless faults highlighted in the trial and in the investigation of the murders of Nicole Brown Simpson and Ronald Goldman really a microcosm of serious weaknesses that exist in the American criminal justice system? Yes — and no, the experts told LEN.

The overwhelming sentiment was that the trial should serve as a wake-up call for all law enforcement professionals. Even with a "mountain of evidence," the LAPD and the Los Angeles District Attorney's office learned a hard lesson: sloppy police work, and one bad cop — someone like former LAPD detective Mark Fuhrman — can destroy a case.

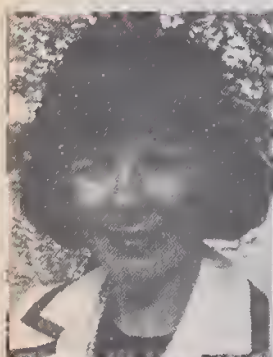
Most of those interviewed agreed that Fuhrman's viciously racist comments that came out in the trial damaged the public's perception of police officers in departments nationwide. Some also said that police officers like Fuhrman exist in many other departments. And if they are not removed from their jobs, experts say, the system will continue to fail victims and their families.

Other experts discussed not only improving the recruitment and hiring procedures of law enforcement officers, but possibly changing tenets of the criminal justice system itself. However, while many calls have been raised since the trial for changing such procedural standards as proving guilt beyond a reasonable doubt, or enabling juries to reach a conviction without a unanimous decision, experts consulted by LEN do not appear to believe that constitutional guarantees could be amended because of the impact of one trial.

While there is a broad diversity of opinion as to the trial's impact, there appears to be far more consensus among those who commented on the jury's verdict. Most of those polled by LEN were emphatic in voicing surprise, even disappointment at the decision. One said he was certain that a hung jury would be the outcome. A tiny minority of respondents felt the prosecution simply hadn't proven its case, at least not to the extent that would warrant sending a man to prison for life.

# Looking for clues

## Law Enforcement News surveys a "jury" of experts to assess the impact of the O.J. Simpson case on law enforcement and criminal justice.



**EVE BUZAWA**  
Professor and  
Chair  
Department of  
Criminal Justice  
University of  
Massachusetts-  
Lowell

It's not typical for batterers who kill not to be convicted. However, what is all too common is the police

refusal to intervene at earlier stages when the woman is being abused, and the batterer interprets this to mean that nobody is really going to do anything. We know now that women are in greater danger after they leave their batterer than when they stayed, so that criminal justice refusal to intervene could jeopardize the victim.

I hope the trial does bring this topic to national attention and makes people understand how these batterers are serious criminals and they're no different from other types of serious offenders. That will at least then help us to focus on what we should be doing that might be more appropriate.

**ROBERT FOGELNEST**  
President  
National Association of Criminal Defense  
Lawyers

I think there will be discussion with respect to lessening the

standard of proof, so that people can be convicted on less than a reasonable-doubt standard. There will be discussion with respect to less-than-unanimous juries. Will it happen? No I don't believe it ever will. The reason is that lessening those standards would make it easier to obtain convictions of both the guilty and the innocent, and I think that the American public, when they reflect on the implications of that, would not want to dilute their protection.

**GILBERT GALLEGOS**  
Police Chief  
Albuquerque, N.M.  
President  
National Fraternal Order of Police

Mark Fuhrman and others like him are not representative of the vast number of professional police officers that I know and do not represent the spirit and dedication of the Fraternal Order of Police. While the numbers of racist cops are minute among the more than 600,000 professionals throughout the country, those few cause problems for all of us. The vast majority of hard-working officers are conscientious, fair-minded and dedicated to the principles of justice and service to the community.

I foresee a concerted effort by departments to purge misfits from the law enforcement ranks. Who defines misfits? Are they going to be defined by the media, reactionary groups, politicians or should we, the professionals, clean up our own ranks? I feel the job of cleaning up the ranks is our responsibility as law enforcement professionals and that we can do it better and more fairly than the other groups I mentioned. I also predict that many departments, in their zeal to purge the ranks, will violate

the rights of many police officers. While I do not condone racist cops, I do support the concept and right of due process for everyone. Police officers do not give up their constitutional rights when they take their oath of office and pin the badge to their uniforms.

While law enforcement has taken many hits during the past few months — Waco, Ruby Ridge, the O.J. trial — we cannot lower our heads in shame. We must lift our heads with pride because of the service we continue to provide to citizens despite race or creed, rich or poor. Our efforts should be to right the wrongs and to continue serving the public we swore to protect.

I have spoken to officers who feel the tension and mistrust as they patrol their beats. They do not exchange words, however, the doubting stares of a child or an honest citizen sends a chilling message to beat officers. During these difficult times, we must stand together shoulder to shoulder in support of each other. I have no fear that our deeds, and our professional dedication, will turn the tide of adversity, mistrust and doubt.

**RONALD E. HAMPTON**  
Executive Director  
National Black Police Association

In the short run, it's like a wake-up call — it's time to do something about the problems of racism and sexism in policing in particular and in the criminal justice system. None of these are new issues. We can go all the way back to the Kerner Commission report, all of those commissions and reports, and what they talked about is the very problem that manifested itself after the Simpson trial and the reason there are two different sets of feelings about what happened.

The impression I'm getting is they're going to handle this





just like they did Rodney King. They're going to have some consultants come in, or they're going to design some of their own academy training, and they think that's going to handle this problem or stop it. But the fact of the matter is that they're not going to stop it because, No. 1, everybody is saying, "We're not racist," or "Our police department is not racist." When you have people making that kind of

statement, they're resisting the opportunity to take advantage of the situation and to do something positive in the short and long run. They're in a state of denial by saying that it doesn't exist from the very beginning. People have to loosen up and be realistic about the problem. The only way you can correct anything is by acknowledging that there's something wrong.

## PENNY HARRINGTON

### Director

#### National Center for Women and Policing

All of the problems that came out about the LAPD — their crime laboratory, Fuhrman, all of those kinds of things — have a very negative impact on police agencies everywhere. Even though that was the LAPD, people in other cities will think that their police department has the same problems. There are more Mark Fuhrmans out there, and the police in the past have not taken action to get rid of them until something really big happens and they're forced to do it. Hopefully, this might bring a change in attitudes among administrators.

I'm also very worried about the effect this case will have on women reporting spouse abuse. Some people say that he got away with murder. In fact, I've heard comments on different news programs that men have said to their wives, "I'll O.J. you," to let her know that he thinks he can hurt or kill her and get away with it. I'm worried about whether women will have any faith that the justice system can help them. Police agencies and prosecutors have to get out there and reassure people who are in those situations that they can get help.

As for the LAPD itself, I think in the long run it's going to help them. I think administrators in the Police Department and in the city saw how bad things are in their crime lab and how desperately they need equipment, training and all that kind of thing. It's one more wake-up call for police that "business as usual" is not good enough anymore.

The D.J. Simpson case is helping what the National Center is trying to do, by exposing Mark Fuhrman and his attitudes. When the tapes are actually released and everybody can see what he had to say, his remarks about women will probably prove even more offensive than his remarks about African-Americans. They're going to be more violent, more hateful — if that's possible. But what it's going to do is help our goal, which is to get more women into policing, and therefore change the way we respond to the community. I think it gives us an impetus to what we're doing.

## ROBERT KLIEMET

### President

#### International Union of Police

##### Associations, AFL-CIO

I honestly believe it's going to cost the taxpayers more because they're going to be more careful in what the law enforcement officers do.

Police departments are going to have to get bigger budgets if they want to be as technical as this case suggests they have to be. I don't think the people want to pay that kind of money. I thought they [the police] were as careful as they could be on that one. There's a real world and there's the make-believe Mickey Mouse world that the defense did a good job in portraying. If you don't have the money to pay for that, you don't get that kind of service.



## LAWRENCE KOBILINSKY

### Associate Provost and Professor of Forensic Science

#### John Jay College of Criminal Justice

I think police departments are going to be in search of Fuhrmans that are in their departments. I don't think they can weed them all out, but they have to take better steps to make

**"To regain legitimacy, the institutions of the criminal justice system will have to reach out to the community in ways that have long proved difficult."**

— Harvard University professor Mark Moore

sure that this kind of thing doesn't repeat itself. I think crime laboratories are going to be hard-pressed to raise their standards. That implies not just the laboratory, but also the crime-scene people. They've got to use appropriate documentation, whether that be photographic or videotape. They need to train people especially in the areas of DNA analysis, because with DNA you've got some special considerations in handling the evidence.

You've got to train the cop that goes to the crime scene or even the homicide detective what DNA is all about. Right now they're not getting that training. DNA analysis is a revolution in the way we identify biological evidence and you can't get away from it. You have to take appropriate steps to move in the direction that other states are taking. You've got to get on board and move forward, and any jurisdiction that fails to do that is going to be in serious trouble.



## JAMES P. LEVINE

### Professor of Government

#### John Jay College of Criminal Justice

I have a feeling that we've overblown the lasting impact of the case to some degree. Many think it's rightfully called "the trial of the century," but we've heard similar verbiage before, whether it was the Chicago 7, the Rosenbergs, Sacco and Vanzetti, the Lindbergh case or Loeb and Leopold. Even in cases where there was great discomfort with the verdict and all kinds of prophecies about major changes, they've usually been less severe than anticipated. For example, in the case of John Hinckley, who tried to assassinate former President Reagan, he pleaded not guilty by reason of insanity and the jury acquitted him on the insanity grounds. There were calls for abolishing the insanity plea and making it much tougher to bring in psychiatrists, and there were some changes, but not really as sweeping as was originally predicted.

Even if this case is the trial of the century — and some claim that it is because never have we had so many people following it so tenaciously — but even if that's true, it's so unusual and so different from the garden-variety case. People who work in the trenches of the criminal justice system — the prosecutors, public defenders and Legal Aid lawyers — are probably saying this has nothing to do with their work. It's a very unusual case so I don't anticipate reactions in terms of the judicial process. On the other hand, what [the case] did in terms of focusing the racial divide — that I think is a reality. It's not going to go away quickly.

## GERALD W. LYNCH

### President

#### John Jay College of Criminal Justice

A hopeful result would be better preparation and training for crime-scene investigation on the part of the police, as well as a general understanding that higher education for police is essential. Since the 1960s, presidential commissions have called for four-year degrees for entry into police departments. Thirty years later, we haven't gotten there yet. I think the intensity of interest of police behavior in this trial — both alleged and documented — should lead to a realization that policing should move further toward becoming a profession, which would require college for all police officers.



## CMDR. JAMES T. MCBRIDE

### Commanding Officer Community Affairs Group Los Angeles Police Department

Such a highly publicized trial has certainly portrayed some

of the strengths and weaknesses of this department. On the topic of evidence collection, there are certainly some areas that can be improved upon. Los Angeles experiences approximately 1,000 murders per year, with insufficient investigators or evidence technicians. Nevertheless, we can expect improvements in identifying, cataloging, care and collection of evidence in future cases.

The greatest impact of the trial, in my opinion, was the Mark Fuhrman tapes. Although he represents a very small minority, the impact on the image of this organization and law enforcement in general is tremendous. Nevertheless, these are opportunities to grow and learn, and to provide leadership in our communities to end racism and bias in the way we treat our citizens and each other. This department is committed to that goal and although we have made significant progress in the past, we are rededicated to utilizing training, leadership and discipline toward a zero-tolerance approach.

Law enforcement nationally has been rocked with a variety of image-impacting events, from corruption to leadership crises and more. The comments by [Simpson attorney] Allan Der-showitz are terribly destructive to the fine work that law enforcement professionals do throughout this country on a daily basis. It is critical that law enforcement be truly professional, but also continue building that police-community partnership to overcome the inaccurate and inflammatory portrayal by self-serving, highly paid defense attorneys or other such purveyors of trash. Each of us in law enforcement has a profound responsibility to serve, to protect and to reduce fear in the minds and hearts of people who have empowered us. If we all commit to the highest possible standards of professionalism, then the public will discount the maniacal rantings and ravings of a few and believe what they see, hear and taste from their own experience.

## MARK H. MOORE

### Daniel and Florence Guggenheim

#### Professor of Criminal Justice Policy and Management

#### John F. Kennedy School of Government Harvard University

The Simpson case revealed that, although white and black Americans view America's criminal justice system differently, they agree that the system cannot be relied upon to do justice, particularly when the defendant is black. Whites generally



disapproved of Fuhrman's racism and perjury. But to many, this was less important than that, from their point of view, a (probably) guilty person went free due to "technicalities" and a cynical, racist appeal to black jurors. Blacks, on the other hand, may have felt some hope that the

American system of justice could provide justice for black Americans even when threatened by racist police. But they couldn't help but notice that such protection is available only when the defendant is rich and famous and when black Americans are largely represented on the jury.

What they agree on is that America's criminal justice system cannot perform its core function — namely, assign criminal culpability to those alleged to commit crimes — in a fair, competent way. Two sobering implications follow.

First, because the legitimacy of the criminal justice system has been undermined, its effectiveness as an instrument for dealing with the bitter feelings associated with criminal offending has been dangerously eroded. It is not clear what will replace it. One possible result is a growth in extra-legal action — both retribution for offending and resistance to what is perceived as unjust legal action.

Second, to regain legitimacy, the institutions of the criminal justice system will have to reach out to the community in ways that have long proved difficult. They will have to make their operations much more transparent to the public, ensure minority representation, and make themselves responsive and valuable in local communities. In short, the institutions of the criminal justice system must recreate their political legitimacy, as well as reclaim their professional and legal standing.



**DENNIS NOWICKI**  
Police Chief  
Charlotte, N.C.

I'm sure that police officers may have suffered in public opinion because of revelations of the behavior of Mark Fuhrman, but I really believe that the public's opinion about the police is very much determined by the way policing is done in the community where the citizens live. What we ought to do in our profession is worry about how we are working and interacting in partnership with our customers, our citizens, and if we do a good job we will overcome any adversity that comes from any event that occurs halfway across the world from us.

We need to worry about the very personal interactions that we as police officers have within our community with our citizens. That's where we need to start and that's where we need to ensure that we're courteous, that we have the integrity we need to have in our business, that we treat people with respect, that we respect the law. All of the things that we do when we interact with our good citizens determine our reputation, not what happens on some 6 o'clock news show or in some trial in some faraway place.



**RICHARD J. PENNINGTON**  
Superintendent  
New Orleans Police Department

The Simpson trial has certainly provided a learning experience for the New Orleans Police Department, as well as other law enforcement agencies around the country. Agencies will reflect on this trial and refine procedures insofar as crime scene preservation, collection, storage and processing of evidence, and finally, courtroom testimony — all of which are essential components of a successful prosecution.



We have not witnessed any resulting impact from this high-profile trial on local jury decisions, capital cases or any additional public scrutiny of the New Orleans Police Department. This agency will continue to

provide a well-written, well-organized, well-prepared criminal case for the District Attorney's Office in hopes of a successful prosecution. I can assure you as Superintendent that we will continue to provide the best possible service to the people of this community.

**ROBERT PHILIBOSIAN**  
Former District Attorney  
Los Angeles County

As far as California is concerned, this case is really just an aberration. That doesn't mean that we shouldn't change anything about the procedures in criminal trials. I see some short-term, quick fix kinds of legislation that people will be putting in, from banning cameras from the courtroom (I favor them) to banning attorneys from referring to social issues as part of their closing arguments. There's no practical way to limit closing argument so long as it's based on the evidence in the case, and the life experiences of jurors are legitimate areas for argument. What the public has to keep in mind is that if there were any shortcomings that were exposed, they were usually shortcomings in terms of how the procedures are utilized by the attorneys, or implied. It doesn't mean there is any systemic problem.

Lawyers have always put the police department on the defensive. What this case has done has exposed some flaws in the way that this investigation was conducted that allowed defense attorneys to point to this as a horrible example and exaggerate the flaws that were present in this particular case. The danger is that jurors in other trials, rather than evaluating the facts of the case in front of them, will jump to some kind of conclusion that the practices were as sloppy as some of those that the defense said were sloppy in the Simpson case.

I think the implications for prosecutors prosecuting other



cases are that maybe the juries are going to wonder where are all of your experts and where are all of your fancy overhead projections. That's going to be a problem in other cases because there were so many technical issues in the Simpson case that are simply not present in routine cases, yet jurors may feel they have to see some of these supertechnical presentations before they can accept the evidence, and that's a danger. The implication for law enforcement is that officers have to be much more careful in their evidence-gathering and testimonial techniques.

**IRA REINER**  
Former District Attorney  
Los Angeles County

The people talk about changes within the system, such as the abandonment of the unanimous verdict and things of that sort. There will be some of that, but I don't think that's going to amount to a hill of beans in terms of consequences one way or the other. We'll have a little change here, a little change there, but mostly we'll have no change at all.

There is one thing that will have potentially a major long-term impact. This is the first trial ever where the entire American public in effect sat in the courtroom throughout the trial. This absolutely captured the attention of the American public on a daily basis for more than a year. The whole country became Court TV junkies, except they didn't have to rely only on Court TV. People sitting on juries in criminal cases for many years to come will have their view of what goes on in a trial affected greatly by what they saw and what they thought of the Simpson case. It will not be possible to have a criminal trial in America from this day forward that is not influenced in the jurors' minds by their view of what a criminal trial is — a view they gained from the Simpson case. So everything in this country can be defined as post O.J. Simpson trial.

A criminal trial may be a search for the truth, but not everybody involved in process is searching for the truth. Some are trying to obscure the truth. It's not improper for a defense attorney to question the reliability of the evidence, but they're not seeking the truth in doing that. It's just a myth that everybody in a trial is seeking the truth. That myth has been destroyed for the American public, and that idea will be brought to their judgments in every criminal case from this point on.

This would have been an opportunity to present an American criminal trial in its best light, and what happened was you had a judge who made a conscious judgment that he would allow all attorneys on both sides to have free reign. Lawyers could argue as long as they wished, on any point they wished to argue, as redundantly and as repetitively as they chose to, and he would exercise no restraint. That's a disastrous way to run a trial. There is no reason why a trial with 100 witnesses could not be tried effectively in four weeks — two months at the outside. Instead it took eight months. This was a trial that threatened to suffocate on its own excesses.

**ROBERT SCULLY**  
Executive Director  
National Association of Police  
Organizations



I think in the short term it will have an adverse impact, but once the news media stops publicizing this on a daily or hourly basis, several months down the road things will quiet down. Police departments and prosecutors' offices around the country will then be able to discuss what happened during the trial and incorporate it in their training with some new techniques to avoid that type of situation in the future.

**LAWRENCE W. SHERMAN**  
Professor and Chair  
Department of Criminology  
University of Maryland

The Simpson case turns out to have much less impact on domestic violence and much more impact on police credibility. The perception of pervasive police perjury, while unsupported by any systematic evidence, has been reinforced by the coincidental revelations of similar behavior in Philadelphia, New York and elsewhere in the aftermath of the Mark Fuhrman tapes.



This could easily be forgotten within six months or it could snowball into a major national concern, exceeding the already widespread concern within inner-city minority communities.

**JEROME H. SKOLNICK**  
Visiting Distinguished Professor  
John Jay College of Criminal Justice

The O.J. Simpson case teaches us three lessons: One, not only are racist cops morally evil; they are dangerous to the justice system and must be aggressively rooted out of police departments.

Two, there is a much greater racial divide in this country that we had imagined. African-Americans deeply mistrust the criminal justice system, and especially its chief representatives, the police. The jurors thought about what Johnnie Cochran had asked them to think about — sending a message to the LAPD, and their life after jury service. And so they came in with an acquittal, nullifying what I thought was a mountain of evidence.

I believe that this case will have, as they say, "legs." Many will ask whether our criminal justice system will survive when decisions are made not on the basis of evidence, but on long-held grievances, no matter how deeply felt and how historically justified. Questions will be raised about jury selection practices, jury size and our assumptions about the role of lawyers in the adversary system as a way to produce truth. It won't matter that this case is scarcely typical. What will count is that it cannot be ignored. Those who feel that an injustice has been committed will insist on some change in the way we do business in American criminal courtrooms.

**RITA SMITH**  
Executive Director  
National Coalition Against Domestic  
Violence

Right now there's a pretty wide and significant division in this country along racial lines. It's a short-term result of the verdict. I would hope that the long-term effect would be that law enforcement is more careful in its collection of evidence no matter what the case is. Certainly battered women who call for assistance and are assaulted don't get a lot of help in that. Police don't carry Polaroids around and take pictures of destruction of property and they don't try to collect 911 tapes to substantiate claims of abuse. Hopefully the long-term effect would be that they would pay more attention to that and be careful with their collection of evidence so that the system can do its job.

It's not like we haven't had problems with the criminal justice in the past in terms of supporting battered women. What we would truly like to have happen is for the system to respond early on in these relationships, so that we're not standing around at funerals looking backward for clues. We'll continue to advocate for stronger sanctions when they're arrested for assault, and hopefully some behavior changes will eliminate the tendency towards lethality.

**JOHN STEIN**  
Deputy Director  
National Organization for Victim  
Assistance

At the outset of the case, we fielded literally tens of thousands of calls from victims looking for help. The majority of them were clearly spurred to seek help for the first time by the evidence of danger domestic violence poses and which they thought the Simpson case revealed. We have received relatively few such calls in the aftermath of the verdict, and we are fearful that victims are feeling despair about getting vindicated or getting safe.

Our larger view is that we believe that policy-makers have been shaken by these events. We're receptive to supporting the creation of battered women's shelters, expanding on efforts to get communities to have teams of police, prosecutors and victim advocates to work on domestic violence cases, and to take other steps to try to make a more receptive climate for victims of abuse to seek and receive useful help. We're also hopeful that abusers themselves have not gotten the message that this is the kind of chronic criminality that they can get away with. That's one where the jury is still out.

**JAMES SWAFFORD**  
Police Chief  
Kansas City, Kan.

I think the Simpson case in and of itself is no more extraordinary, even though it was lengthy, than Ruby Ridge, Waco and the corruption in police departments. I think the confidence level of law enforcement is at its lowest ebb. Government itself is under closer scrutiny than it has ever been, and law enforcement is the most visible and prevalent arm of government.

There is a great mistrust and a distrust. We're going to have to go above and beyond to ameliorate our relationship with the

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**"When the public becomes skeptical about the ethics and integrity of the police, the ability of the police to control crime and maintain order is seriously compromised."**

— Police Foundation president Hubert Williams

public. I'm hoping that all of the efforts with community policing will be proactive and productive in doing that. It's not just Mark Fuhrman; there were other cases tainted. It's the technician who questioned the FBI laboratory. It's the female police officer killing her partner in a robbery in New Orleans and who now sits on death row. It's Indianapolis, where police supposedly beat up a guy. We just went through a trial ourselves where one of ours, an off-duty officer, was in an adjoining jurisdiction with his wife and his brother, also an officer, where he got into an altercation with a security guard and used deadly force. We just got through a lengthy trial and that officer was found guilty of first-degree murder.

Our community was very understanding. We did what we needed to do to keep the communications lines open, which I think is the key to everything. Communication, sincerity of purpose and being honest, then letting the system do what it's supposed to do. But again, I think we're going to have to demonstrate the walk as well as the talk to ensure the public that we do not intend to abuse our authority nor will we condone any of our personnel who do that.

#### **DAVID WALCHAK**

**Police Chief  
Concord, N.H.  
President  
International Association of Chiefs  
of Police**

A project I have called for is an ad hoc committee to review the image of police and police ethics. It's important that we not lose sight of the fact that over 500,000 police officers in this country serve their communities and citizens extremely well. They're well-selected, well-trained, well-directed, well-supervised, and they do their jobs day in and day out. They put



their lives on the line to do society's most difficult job extremely well with a high degree of professionalism.

As with any institution, we have police officers in this country who unfortunately do not live up to the standard that they've been taught. When that happens, we need to identify them through an assorted number of ways. One of those is the early-warning systems that need to be put in each and every department. Many departments already have them. We need to supervise, train, direct and hold these people accountable for their actions, and hold the supervisory personnel accountable for the actions of their officers.

The International Association of Chiefs of Police civil rights committee passed a resolution in Miami whereby there is zero tolerance for the violation of anyone's civil rights. We, as an association, feel strongly about that.

#### **ELIZABETH WATSON** **Police Chief Austin, Texas**

Although the trial was held in California, its impact was nationwide. Mark Fuhrman has done a disservice to our profession. The difficult job that officers do every day now has an added dimension of stress.

#### **CHUCK WEXLER** **Executive Director Police Executive Research Forum**

The case allowed the American public a very close-up view of the criminal justice system in a way that many had not seen before, and their expectations about both the system and justice will be significantly altered both in the short term and the foreseeable future. I think I heard a prosecutor say that looking at the criminal justice system and the outcome, people's expectations might have been for a Rolls Royce and in fact what they got was a Ford or a



Chevy. The entire system is really under incredible scrutiny and each player in that system, whether judge, jury, police officer or crime lab technician, will now have their particular roles heavily scrutinized. People's expectations about the level of professionalism in each of those areas are incredibly heightened, so much so that their expectations and reality may be far apart. The backgrounds and credibility of police officers who have ever had any particular negative performance will now be highly questioned, and may result in their testimony being significantly undercut. Police administrators need to look hard at their entire organization, both in its personnel and its administration, and see how that organization will support the cause of justice in criminal trials. By that I mean that from beginning to end, when police officers are hired, their background investigation, their job performance, citizen complaints — all of those actions must be dealt with in a fair and equitable and accountable way. If they're not, should that officer subsequently find himself testifying in any kind of criminal case, and information comes out that compromises that officer's integrity, it can have a significant impact on that case. So if we as police professionals are already holding ourselves up to a high standard, which we should do, this is further evidence of the need for continued striving for professionalism and holding ourselves to the highest standards.

#### **HUBERT WILLIAMS** **President The Police Foundation**

The police have the power to intervene at very basic levels in the lives of American citizens. The manner in which officers interact with citizens and the methods by which they enforce the law have critical implications for our democracy.

When some police officers breach the public trust, as we've seen recently in Los Angeles, Philadelphia, New York, New Orleans, Atlanta and elsewhere, they impugn the integrity of all law enforcement personnel. We can no longer dismiss corrupt behavior by police as aberrant, and the men and women in law enforcement must stand against such behavior by no longer remaining silent in its face. When the public becomes skeptical about the ethics and integrity of the police, the ability of the police to control crime and maintain order is seriously compromised. The "blue wall of silence" must be dismantled, and it is the men and women in law enforcement who must do it.

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# What's wrong with the drug war? Hatch has ideas.

Senator says Administration is missing the boat on interdiction

*Editor's note: With this column, the 396th installment of "Burden's Beat" to appear in Law Enforcement News, Ordway P. Burden will be taking a sabbatical leave. Mr. Burden has been a regularly featured columnist with LEN since 1976, and his valued contributions to this newspaper will be sorely missed.*

Senate Judiciary Committee chairman Orrin G. Hatch believes that the nation's drug policy needs an overhaul, with much greater emphasis on the interdiction of drugs bound for

## BURDEN'S BEAT

By Ordway P. Burden

the United States. "The Clinton Administration has stumbled badly, and our children are suffering as a result," Senator Hatch told the National Law Enforcement Council at its October meeting.

"By largely abandoning efforts at drug interdiction, the Administration has permitted the importation of vast quantities of illegal drugs," he said. Calling illegal drugs the most important issue facing law enforcement today, Hatch said that every indicator shows that drug use among young people is rising rapidly.

In September, he said, "we learned that youthful marijuana use is up sharply for the second straight year. We now have 2.9 million youthful marijuana users — 1.3 million more than just two years ago. Marijuana is widely recognized as a gateway drug to the use of even more harmful substances."

"What's worse," he continued, "recent reports show that decreased prices and increased purity of heroin are now with us."

Hatch told the NLEC, which is made up of leaders of 15 major law enforcement associations, that he is "committed to working with you to address this resurgent crisis." He said that a revitalized war on drugs should include a re-emphasis on interdiction.

"Interdiction, after all, is the primary responsibility of the Federal Government," he observed. "Our efforts in the source countries — in Latin America in particular, but also in the Golden Triangle of Asia — have to be reinvigorated. As any homeowner knows, if you have a problem with homets, you destroy the nest instead of the individual insects."

Battling the drug trade in source countries involves not just interdiction but, more importantly, hinges on law enforcement's ability to penetrate the trafficking organizations, Hatch said. "As many of you are aware," he added, "the Cali cartel uses sophisticated electronic surveillance to monitor our movements and murder our informants. We need to support law enforcement with the resources they need to get the job done."

Hatch believes that President Clinton must put the drug issue on the front burner of the nation's consciousness. "All of us have got to encourage the President to use the bully pulpit of his office to address this issue," he said. "Nothing short of the full force of the Presidency can elevate this issue to the national stature needed to have the impact necessary to reduce the demand for drugs, especially among our young people."

He also called for concentrating treatment efforts on first-time offenders, not on hard-core addicts. "We must, of course, treat those who are indeed treatable," he said, but not those with real addictions. "I don't mean to be mean," the Senator said, "but we have limited resources. The resources ought to go where they will do the most good — first-time offenders and kids that have made mistakes. But drug addicts? You have almost zero chance of getting them off drugs. Of all the money we've poured down that sewer, only about 1 percent of these people even claims to have come out of addiction."

Hatch touched on some other issues of interest to police executives. For one thing, he said that a measure dear to his heart — habeas corpus reform — appears to be on track toward becoming law. "When enacted, this reform is going to put an end to the ability of convicted killers to mock justice by instigating frivolous appeal after frivolous appeal to delay the imposition of just sentences," he told the NLEC.

The Senate's habeas corpus reform is contained in an anti-terrorism bill sponsored by Hatch and Majority Leader Bob

Dole that passed the Senate last spring. It's now under consideration by the House, and Hatch urged police executives to ask House Judiciary Committee chairman Henry Hyde to have his committee act favorably on it. "I'd like to see this bill on the President's desk by Christmas," Hatch said, "so please chat with Chairman Hyde and others in the House."

Hatch noted that the Senate passed appropriations for the Department of Justice without changing the President's request for the COPS program to put 100,000 additional police officers on the nation's streets over the next few years. "I was one of the reasons why that happened, but I'll be honest with you — I'm not sure that's a wise thing. But most of you wanted it and I fought for you to get it," he said. Hatch added that he expects some form of block grants to the states, instead of the COPS program, would come out of the Senate-House conference on the anti-crime measure.

The 100,000 additional officers would require \$7 billion each year beyond current appropriations, Hatch asserted, "and we just don't have the money to do it. He's not going to get 100,000, and it's intentionally cynical to go around saying we're going to have 100,000 more cops on the street. The money's not there."

But Hatch said he urged his colleagues in the Senate not to support block grants to the states for law enforcement because, if the crime rate later rose, the President could charge that it was the Republicans' fault because they did not give him the 100,000 officers.

The Senator urged police executives to continue advising the Judiciary Committee on law enforcement's needs. "I can't always give you what you want," he said, "but I sure do want your advice."

*(Ordway P. Burden is president of the Law Enforcement Assistance Foundation and chairman of the National Law Enforcement Council. He welcomes correspondence to his office at 24 Wyndham Court, Nanuet, NY 10954-3845.*

*Seymour F. Malkin, the executive director of LEAF, assisted in the preparation of this article.)*

## Life behind bars:

# Blacks & criminal justice — a grim picture

As the question asks, "It's 10 o'clock. Do you know where your children are?" For the mothers of young black men in America, the odds are good that the answer is, "under correctional supervision."

According to a recent report by the Sentencing Project, a public-interest group that advocates sentencing reform, one in every three young black males in the United States are imprisoned, or on probation or parole.

A similar study by the group in 1991 had found that one out of every four black men ages 20 to 29 were under some kind of criminal justice supervision. The new figure represents an increase of 31 percent since 1990.

The group said it costs the nation more than \$6 billion each year to keep the 827,440 young black men in the criminal justice system — a finding that the report's author, Marc Mauer, termed a "devastating situation."

The report, released Oct. 4, said the high numbers of black men in the criminal justice system aggravates other problems in the black community, such as increasing the numbers of children raised in impoverished, single-parent homes. "This is a huge social disaster in the making," Mauer said. "If one in three white men were under criminal justice supervision, the nation would declare a national emergency."

Mauer said that crackdowns on drug crimes by police who "are more likely to target" poor, inner-city neighborhoods than middle-class, mostly white suburbs could be responsible for part of the sharp increase. Statistics show that

while blacks make up 13 percent of all drug users, they represent 35 percent of drug arrests and 74 percent of those sentenced to prison, he noted.

Disparate sentences for cocaine-related offenses are also to blame, according to the study. Earlier this month, Congress refused to adopt guidelines made earlier this year by the U.S. Sentencing Commission, which urged that harsher penalties for crack cocaine offenses be brought more in line with those meted out for powdered cocaine offenses. The commission said the sentences are racially discriminatory against blacks because they are the group most charged with crack-related offenses.

The Sentencing Project's report was not the only bit of troubling news for black Americans recently. Also last month, a study reported in the Journal of the American Medical Association found that in Los Angeles County, gang-related killings of black males between the ages of 15 and 19 more than tripled from 1980 to 1990, while the rate for Latino males in the same age group rose by 30 percent.

The study is said to be the most far-reaching analysis ever conducted of gang killings in Los Angeles County. The report said 7,228 people were killed in gang-related murders from 1979 through 1994 — carnage the study said constituted "a major public health problem."

Gang killings made up 43 percent of all homicides in the county last year, up from 18 percent in 1979, according to Sgt. Wesley McBride of the Los

Angeles County Sheriff's Department's Safe Streets bureau. McBride said 1995 is "on pace" with last year's gang-related homicide rate, when 779 people died in gang violence.

Among the study's findings, which were derived from an analysis of 5,541 of the 7,288 gang-related deaths in the county in the past 16 years:

¶ One-third of all people killed in gang attacks were not involved with a violent street gang.

¶ The victims' median age was 21.

¶ Fewer than 5 percent of gang killings involved illegal drug sales.

¶ The use of semiautomatic handguns in gang killings has more than quadrupled, to more than two out of every five gang murders.

¶ Drive-by shootings account for one out of four gang homicides; one-third of the victims are bystanders not affiliated with gangs.

Epidemiologist Billie Weiss, who heads the injury and violence-prevention program for the county Department of Health Services, told The Los Angeles Times that the study "points out that what we're doing to curb the problem is not working."

Weiss said prevention programs must be put in place "before [kids] get to middle school. We've got to provide them with the means to get involved in other things, like after-school programs. Kids often tell us, 'I can buy drugs on my street, but I can't find a movie in my neighborhood.'"

Another study, released Oct. 10 by the Carnegie Corporation, also painted a bleak picture of today's youth, regardless of race or ethnicity, warning that as many as 19 million are falling through the cracks of society. The report based its conclusions on several findings, including statistics showing that one-third of all 13-year-olds admit to using illegal drugs, and a doubling of the firearms homicide rate among the young, which jumped from 0.8 per 100,000 in 1985 to 1.9 per 100,000 in 1992.

For young black males, the picture is even deadlier. The report said the firearms homicide rate for that group nearly tripled in the same period, from 3 per 100,000 to 8.4 per 100,000.



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Hemmens, del Carmen:

## The vagueness of reasonable doubt

By Craig Hemmens  
and Rolando V. del Carmen

The O.J. Simpson trial ended with the sudden announcement of a "not guilty" verdict. After hearing nine months of testimony, the jury deliberated for less than four hours before reaching a decision to acquit the defendant. Commentators, lawyers and the general public expressed amazement at both the speed of the verdict and the verdict itself. To the prosecution, all its effort went for naught. The jury, it seems, did not even bother to examine incriminating evidence the prosecution believed should have convicted the defendant.

Opinion polls found the country largely divided along racial lines on the question of Simpson's guilt or innocence, with roughly 70 percent of white Americans believing him guilty and 70 percent of black Americans believing him innocent. Those who felt him guilty blamed his lawyer, Johnnie Cochran, for playing "the race card" in an effort to discredit the seemingly insurmountable body of scientific evidence offered by the prosecution. Those who felt Simpson innocent discounted the validity of much of the circumstantial evidence, saying instead that the defendant had been "set up" by the Los Angeles Police Department, or that the LAPD was at least sloppy in collecting the evidence. Others indi-

Reasonable doubt is a term with which everyone is familiar, but which few can define. In fact, the absence of a clear definition characterizes its use in state and Federal courts.

cated that they believe Simpson may have committed the crime, but the prosecution did not prove his guilt beyond a reasonable doubt, and thus he deserved an acquittal under our system of justice.

Practically all of the jurors, in interviews, declared that race was not a factor in their decision and that their verdict to acquit was based on reasonable doubt. In the absence of evidence to the contrary (and such evidence would be almost impossible to obtain), the jurors are entitled to the benefit of the doubt when they say that nothing but reasonable doubt led them to acquit.

But what exactly is reasonable doubt? And how could this legal concept have played such a major role in the outcome of "the trial of the century"? In the Sept. 30, 1994, issue of *Law Enforcement News*, Brian Forst discussed the concept of reasonable doubt and argued that probabilistic information, such as DNA evidence, should be accorded great weight in criminal trials. We deal here with a related issue: How does one define reasonable doubt? Should it be explained to the jury, and if so, how should it be explained? Reasonable doubt is a term with which everyone is familiar, but which few can define.

This is not surprising; in fact, the absence of a clear definition characterizes its use in state and Federal courts. Its practical meaning is obscure, its precise boundaries elusive.

While every state requires that a criminal defendant be found guilty only if guilt is established beyond a reasonable doubt, it was not until the 1960s that the United States Supreme Court expressly held that the "beyond a reasonable doubt" standard was required by the Constitution in criminal trials because of the due process clause of the 14th Amendment. In essence, this says that it is fundamentally unfair to punish an accused for a crime unless guilt is proved beyond a reasonable doubt. This burden of proof is different from that required in civil trials, in which a plaintiff or defendant need only establish their case by "a preponderance of the evidence" to win. A preponderance of the evidence is quantified by some writers as at least 50 percent certainty. Reasonable doubt, on the other hand, is not so easily quantifiable, assuming it lends itself to quantification at all. Does it mean a juror must be 90 percent sure the defendant is guilty? How about 95 percent? Or maybe 99 percent?

Legal scholars, and the U.S. Supreme Court,

have refused to quantify reasonable doubt, and efforts to quantify it often generate more heat than light. Some judges have tried to define the term in an effort to provide guidance to jury members. Sometimes reasonable doubt is defined as "a doubt based on reason," "an actual and substantial doubt," "a doubt which can be articulated," or "an abiding conviction to a moral certainty." Other judges flatly refuse to define the term, either holding it to be self-defining or asserting that trying to define it confuses rather than helps jurors.

Only a few states provide a statutory definition of reasonable doubt for trial courts to use in instructing a jury. Most state laws merely require proof beyond a reasonable doubt for conviction in criminal cases, but do not explain or define what that means. Several states that have specific definitions of reasonable doubt require that these definitions be read to the jury. California, as it turns out, is one of the states with a statutory definition of reasonable doubt, and it is this definition that was read to the jury in the Simpson case. California's definition of reasonable doubt is drawn in large part from the definition enunciated by Chief Justice Shaw of the Massachusetts Supreme Judicial Court in the 1850 case *Commonwealth v. Webster*. Shaw wrote:

"[W]hat is reasonable doubt? It is a term often used, probably pretty well understood, but not easily defined. It is not mere possible doubt; because every thing relating to human affairs, and depending on moral evidence, is open to some possible or imaginary doubt. It is that state of the case, which, after the entire comparison and consideration of all the evidence, leaves the minds of jurors in that condition that they cannot say they feel an abiding conviction, to a moral certainty, of the truth of the charge."

The Webster instruction was adopted almost verbatim by California in 1927 as the statutory definition of reasonable doubt. The California Legislature has declared that if the statutory definition is used, "no further instruction need be given." The California instruction on reasonable doubt was the subject of a 1994 U.S. Supreme Court decision, in *Sandoval v. California*.

In *Sandoval*, the Court upheld the constitutionality of California's statutory instruction on reasonable doubt. Writing for the majority, Justice O'Connor acknowledged that "[a]lthough this standard is an ancient and honored aspect of our criminal justice system, it defies easy explanation." The Constitution, she noted, does not require that any particular explication of reasonable doubt be used when advising jurors of the government's burden of proof. She concluded that "the phrase 'moral certainty' is not a mainstay of the modern lexicon, though we do not think it means anything different than it did in the nineteenth century." Additionally, the Court noted that "moral evidence" as formulated in the *Sandoval* instruction "can only mean empirical evidence offered to prove such matters — the proof introduced at trial."

The Court shared *Sandoval's* concern that moral certainty might be understood today to mean less than reasonable doubt and that moral certainty connotes probability, which is an inappropriate means of quantifying reasonable doubt. The Court stated, however, that considering the totality of the instructions, "moral certainty" in this case was understood by the jurors in its

Continued on Page 14

Marakovits:

## Policing's distorted image

By Thomas Marakovits

Images captured on camera along a California freeway, the misstatements and seemingly loose handling of evidence by law enforcement officials in the O.J. Simpson case and the corruption of officers in departments like Los Angeles, Philadelphia and others have cast a pall over law enforcement, not only in those cities whose departments are in question, but also throughout the entire nation. If, as some believe, image is everything, then cops today are in trouble.

Improving the law enforcement image is a matter which, despite its Hollywood overtones, is of basic and vital concern in our nation today. Americans seek and have a right to effective law enforcement which should provide them with a feeling of security in their homes, their persons, and while they are in our communities.

Unfortunately, the true image of law enforcement, particularly as it applies to professional police in our nation, is being unfairly distorted and smeared. Admittedly, the Rodney King incident, the actions of Mark Fuhrman, and the corruption scandals in a few major-city departments tear at the fabric of professional law enforcement. However, it is paramount that the public not let the misdeeds of a few police officers stain the entire image of law enforcement. No other group in public service carries the shame of a member longer and strives so earnestly to win back the loss in public confidence than law enforcement officers.

Today we hear more and more references to the "police image." This is but another term for police reputation. The image is the outer reflection of the standing of law enforcement based on its integrity, performance and service. It is a reaction that emanates from the public and which is based on the public's expression of confidence in and respect for law enforcement — or the lack thereof. The 12 members of the jury in the Simpson trial evidently lost their confidence,

trust and respect for the law enforcement officials in the city of Los Angeles. This reputation is like mercury in a thermometer — up today, down tomorrow. The quality of law enforcement must be constant. It must be emphasized daily to ensure that public respect is not only earned but maintained.

Never before have the police been under such sharp and continuous public scrutiny. Whatever the voices speaking out at the time, the comments about law enforcement have filled pages of newspaper space, hours of air time, and hundreds of photographs. This attention has made people realize that they know little about the personnel they pay to protect them. Further, the many myths and overdramatized portrayals of the past still persist, and the few misfits of the present have succeeded in smearing the law enforcement image.

It is time to rethink the values and objectives of internal affairs divisions in law enforcement. Establishing and maintaining the integrity of law enforcement is the keystone of professionalism; thus, discipline and accountability of all personnel are vital. Law enforcement officers are generally held to higher standards of behavior than members of many other occupations, and these standards are absolutely necessary, given the type of work and the extent of public interest at stake.

It is conceivable that an investigation into misconduct could uncover faulty policies and procedures within the department that would have otherwise gone undetected. Therefore, officers who engage in acts of misconduct or who have demonstrated that they are unfit in the performance of their duties must be identified and dealt with in a positive and fair manner. This is essential for the protection of the public and the department those officers represent. It is paramount that we never lose focus on the fact that the integrity and reputation of the entire department

depends on the integrity and self-discipline of all of its personnel.

No department should be subjected to public scorn and censure because of the misconduct of a few. When an informed public knows that law enforcement honestly and fairly investigates and adjudicates all allegations of misconduct, confidence and public support will be enhanced. The public has a right to expect efficient, fair and impartial law enforcement, and the onus is on law enforcement to meet the challenge. Certainly the impact of internal affairs is a matter worthy of greater consideration and commitment by everyone in the law enforcement profession. Every officer must learn to distinguish "what is" and "what should be," and assume some responsibility in the task of bringing American law enforcement to the highest possible level of efficiency, an edifying level of integrity and morality, and an exemplary level of legality.

It is a responsibility and task that will demand the utmost in intelligence, moral character, motivation and courage from every officer. It is a task that cannot be overlooked in any approach to law enforcement. Those who accept the responsibility and set their minds, hands and hearts to the task will find law enforcement to be a democratically oriented function achieving compliance with the least force, supported by the public, and mindful of the dignity of every citizen. There is no room for alternative methods. Police must perform effectively through public cooperation and with minimum force. If members of law enforcement fail to play the proper role and to act in a manner that drives our message home to the people we serve, the image of law enforcement will remain distorted.

(Thomas Marakovits is director of the criminal justice program at Alvernia College in Reading, Pa. He retired as a lieutenant from the Pennsylvania State Police.)

### Note to Readers:

The opinions expressed on the Forum page are those of the contributing writer or cartoonist, or of the original source newspaper, and do not represent an official position of Law Enforcement News.



# Criminal Justice Library

Helping George Bush to win an election:

## What Willie Horton did on a day off

Crime and the Politics of Hysteria:  
How the Willie Horton Story  
Changed American Justice.

By David C. Anderson.

New York: Random House Inc.,  
1995.

291 pp., \$25.00.

By Catherine Enberg

As a reporter, editor and editorial writer for *The Wall Street Journal* and *The New York Times*, David C. Anderson has written extensively about crime and criminal justice. His latest work, "Crime and the Politics of Hysteria," focuses on the Willie Horton case, which helped catapult George Bush into the White House in 1988 and resulted in the repeal of the furlough program in Massachusetts for prisoners serving life sentences for first-degree murder.

Using the Horton case, Anderson

demonstrates the intricate relationship between the often-opposing forces of citizen desires, media aspirations and political agendas, and how the Horton case helped to shape public policy throughout the 1980s and the 1988 Presidential election.

Written in novel format, the book details the life of William Horton — "Willie," as he was later dubbed by the press. As a child, Horton grew up under less than ideal circumstances. During his youth in South Carolina, Horton suffered the effects of poverty and parental absenteeism. Later, a corrections officer would write of Horton's youth that "income was poor, supervision and discipline was lacking and home had little structure." In addition, Horton's father harbored a violent temper, one that became even worse under the influence of alcohol.

As a young adult, Horton became involved in a variety of criminal ac-

tivities, including drugs, property crime, assault, and motor-vehicle violations. Horton's temper, which at times rivaled his father's, also contributed to his troubles. By age 20 he had already served 2-1/2 years in reform school and the state penitentiary for adults.

After serving his time in prison, Horton resettled in Lawrence, Mass., where, for a while, he seemed to carry on an almost law-abiding life — working fairly steadily, taking up residence with an older woman and her two daughters, and eventually fathering a child of his own. Before long, however, Horton grew uncomfortable with the life of an upstanding citizen. It was in October 1974, during an evening on the town with friends, that Horton was involved in the robbery and murder of a young man, a crime that ultimately landed him in the Massachusetts prison system, serving a life sentence without the possibility of parole.

While not always a model prisoner, Horton learned to manipulate the system well and was eventually granted weekend furloughs under a program enacted through the Massachusetts Correctional Reform Act of 1972. During one of his furloughs in 1986, Horton broke into the home of Cliff and Angela Barnes, robbing and terrorizing the young couple and raping Angela Barnes. It was Horton's crimes committed while on furlough that inflamed the public's anger and became the focal point of heated political debates in the late 1980s.

According to Anderson, the political and media battles that ensued after Horton's crimes while on furlough typify America's evolving trend toward expressive justice — "laws, policies, and practices that are designed more to vent communal outrage than to reduce crime" — and its potentially detrimental effects on the justice system.

Anderson observes that the decades of the 1980s and 1990s witnessed a surge in news coverage of certain types of crime, followed by the manipulation of these criminal cases for political and personal gain. With each high-profile story, the elements of the crime were the same. The crimes were violent; the victims were middle-class, usually white; the victims were wholly innocent, having done absolutely nothing to provoke the attack; the criminals appeared to have chosen their victims entirely at random; and finally, the criminals most often had a history of involvement with the criminal justice system, "suggesting that if the system had only worked better, the terrible crime might have been avoided."

Horton's crimes met these criteria and served as a prime example of the public's increasingly "expressive" response to crime. Horton and his crimes gave the public a cause, an outlet for steadily mounting concerns about crime and safety. The media, like bears to honey, rushed to provide the perfect forum for the public to vent its fears and for politicians to manipulate those fears. The media and political establishment's lack of concern for accuracy, truth and issues of practicality served only to heighten the public's need for therapeutic release.

To illustrate his point, Anderson recounts campaign strategies used by George Bush during his successful 1988 Presidential campaign. The idea of focusing on the Willie Horton case to weaken the reputation of Michael Dukakis, then Governor of Massachusetts and Vice President Bush's opponent in the general election, can be credited to Bush's campaign manager, Lee Atwater. During the campaign, Atwater assembled an "opposition team" to comb through Dukakis's record for "foolish statements, stumbles, screwups — anything that might be used to define his negative image."

The head of the team, James Pinkerton, happened to catch a New York debate between Dukakis and Senator Albert Gore, during which Gore drilled Dukakis about his furlough program and the Willie Horton case. The furlough program, soon to become a focal point of Bush's campaign, lost all chance for an objective assessment on the merits. As Anderson later points out,

"In an era of expressive justice, crime control was no longer the point. The Willie Horton story aroused politicians' self-protective instincts. The bottom line was that few officeholders who wished to remain where they were could afford to oppose the wave of popular feeling revealed, and further aroused, by the Bush campaign's use of the Horton case."

Overall, Anderson's book is well researched and quite enlightening. However, his tendency to switch subjects in mid-thought and his lack of a clear, concise timeline lend themselves to some confusion and frustration.

Moreover, Anderson makes some erroneous assumptions regarding recent, highly publicized criminal cases. Of the trend toward expressive justice, Anderson observes that many parents of murdered children, such as Marc Klaas, utilize the political and media environments to press their causes as a form of personal therapy. While Anderson correctly observes that Marc Klaas advocated the development and passage of California's "three strikes and you're out" legislation, he curiously neglects to mention that Klaas eventually rejected the very legislation he originally proposed. Over time, Klaas realized that channeling his anger and pain into new legislation held merit only if that legislation would truly benefit the community. After thoroughly studying the "three strikes" legislation, Klaas openly opposed its enactment. Speaking at a public forum in San Diego in the spring of 1995, Klaas appealed to the public's sense of practicality and justice, urging people not to let their emotions rule their decisions. In that sense, he symbolized the choices that Anderson argues society must eventually make. "The Willie Horton story and the new expressiveness starkly outline this historic choice," Anderson writes. "They raise no less an issue than how Americans are to think of themselves, what kind of people they are to be."

Anderson's lofty prescriptions in the concluding chapters of the book also leave room for skepticism. He argues dozens of optimistic strategies for improving the criminal justice system, yet seldom backs up his statistics with solid source citations. Yet while his documentation may be weak, his extensive research in writing the book remains commendable. The book is based on the vast quantities of documents generated by Willie Horton's crimes as well as extensive interviews, filings, deposition transcripts, press releases, and miscellaneous magazine and newspaper articles.

"Crime and the Politics of Hysteria" is ideal for those interested in examining the changing dynamics of public policy implementation. Through his painstaking research and innovative journalistic style, Anderson imparts to the reader a unique perspective and a new appreciation for the complexities of public policy decision-making processes and the administration of justice.

(Catherine Enberg is a graduate teaching assistant in the criminal justice administration program at San Diego State University.)

## Getting carried away: A timely look at transportation policing

Policing Transportation Facilities.

By Henry I. DeGeneste

and John Sullivan.

Springfield, Ill.: Charles C.

Thomas, Publisher, 1994.

162 pp., \$39.95 (hb), \$24.95 (pb).

By Robert J. Loudon

This is not an exciting or thrilling book. However, it is a very necessary one, which fills a void in the literature of specialized policing, public and private. This book is about the protection of assets, people and property. Perhaps in no other industry is there this near-complete blending of public and private-sector responsibility — an amalgam of private security and protection practices with the more traditionally accepted government police agency role. And never before has the safety and security of transportation facilities and modes of transportation been more important than today. The safe and efficient movement of passengers and cargo is clearly vital to the well-being of the United States.

If we do a selective reverse history, we see: 1995, a Level-4 state of alert at Kennedy International Airport based on a terrorist threat; 1995, the sabotage and derailment of an Amtrak passenger train; 1994, a series of gas attacks on Japanese subways; 1993, the hijacking of Lufthansa Flight 592; 1993, mass murders on a Long Island Rail Road commuter train; 1986, a slashing attack by an emotionally disturbed man on the Staten Island Ferry; 1985, the hijacking of the cruise ship *Achille Lauro*; 1977, a bus hijacking which disrupts a major airport. The authors were especially prescient, in light of the gas attack on the Japanese subway, when they quoted from the book "Final Warning: Averting Disaster in the New Age of Terrorism," about the threat of chemical, biological and nuclear agents against mass transit.

One can see that there has been no shortage of notorious incidents. Such

attacks not only produce instant victims but also affect economic and political stability by targeting the free movement of people and products. Our overall sense of well-being and control over lives is threatened. We want to feel safe. This book can help security and police officials provide for a safer environment.

DeGeneste and Sullivan are well qualified for this endeavor. DeGeneste completed a career in the public sector, rising through the ranks from police officer to Director of Public Safety and Superintendent of Police for the Port Authority of New York and New Jersey. He then moved into the private sector as a corporate security executive. Sullivan likewise worked for the Port Authority in a number of capacities before joining a Southern California police agency with responsibility for rail transit operations. Their individual and collective experience is evident in the selection of topics and presentation of the data.

The organization of the 10 chapters in this book is such that once you read Chapter 1, "Moving the Masses," chapters 2 through 9 can be read in sequence or treated as stand-alone modules, according to the readers' interest or specialization. This is a comprehensive text which presents most modes of public transport: subway and commuter rail; maritime; airports, and bus operations. Specific treatment is also afforded to terrorism, drugs and hazardous materials.

A chapter is devoted to the special problems and concerns of dealing with the homeless and with mentally ill/emotionally disturbed people in transportation centers. Society traditionally provides inadequate facilities and services for these populations, which thus tend to be drawn to transportation facilities as if by a magnet. The public safety reality of this situation, however, is nothing like the light-hearted treatment one sees on the current bus-terminal TV sitcom starring John Lar-

roquette.

There is one appendix dealing with aspects of rail-directed terrorism in various countries from 1974 through 1986. One hopes that will be a second edition of the text that could update this information. Similar treatment could then also be provided for aircraft and maritime incidents, which would make a more dramatic point about the actual and potential impact of violence and terrorism on the transportation industry. Each book must begin and end someplace, but in addition to revised and new appendices, other areas for future consideration might include the problems of hostage/barriade incidents involving transit facilities as well as more information about the interface of system-wide operational policy and decision-making with safety and security issues.

The solid foundation of this book was not created in a vacuum, but rather capitalizes on practitioner experience to integrate political reality with government regulations and enforcement as they relate to safety and security operations. As confusing as the current discussions of community policing and problem-oriented policing may be, DeGeneste and Sullivan were able to make a connection between these policing concepts and transportation facilities. The New York City Police Department, which has recently assumed the additional responsibility for policing the city's bus and subway system, might do well to add this volume to its organizational bookshelf. Overall, this work should prove useful as a text in a college-level course as well as a reference work for operational consideration.

(Robert J. Loudon, C.P.P., is director of the Criminal Justice Center and the Security Management Institute at John Jay College of Criminal Justice. He retired from the New York City Police Department with the rank of detective lieutenant.)



# The Simpson trial & reasonable doubt

Continued from Page 1

appropriate context. The Court noted that instructions informing jurors that they must have "an abiding conviction to a moral certainty, of the truth, of the charge, appropriately addressed the level of the government's proof in this case."

It is evident from Sandoval that the members of the Court differ in their perceptions of the impact of various definitions of reasonable doubt on jurors. It is no surprise, therefore, that the Court has failed to provide a bright-line rule as to how reasonable doubt is to be defined. This confusion is also evident in lower court decisions. These writers have recently completed a survey of the definition of reasonable doubt in all 50 states and the 13 Federal appellate circuits. The survey shows that the language of reasonable-doubt definitions varies greatly among the jurisdictions.

Given limited information about the Simpson jury deliberations, it is more plausible to suggest that reasonable doubt, not race, determined the outcome of the trial. Those who place great weight in scientific evidence may find it hard to believe that anyone could have any doubt, reasonable or otherwise, as to Simpson's guilt after hearing all that DNA evidence, and after seeing the bloody glove on the garden path, the bloody socks on the bedroom floor, and the blood speck on the Ford Bronco. This is scientific stuff that should not be perfunctorily dismissed.

But the jurors heard other evidence as well. They learned that the detective who discovered the bloody glove lied when asked if he had used a racial epithet in the last 10 years. They heard expert witnesses testify that the crime lab had mishandled evidence. They heard testimony that a detective carried a vial of Simpson's blood from the murder scene to the Brentwood estate. They saw Simpson struggle to fit his hand into the glove. And they heard conflicting stories about where Simpson was when the murders occurred. All these factors gave jurors ample room to conclude that reasonable doubt existed.

Comments by individual jurors suggest that they were not as swayed by the significance of the scientific evidence. Either the prosecution failed to explain adequately the accuracy of such evidence, or the defense succeeded in showing how the DNA evidence could have been contaminated by sloppy procedures or even intentionally altered as part of a conspiracy.

The people on the Simpson jury were not lawyers, legal scholars or scientists. They were ordinary citizens who brought their own opinions, ideas, beliefs and, yes, biases with them into the jury room. Nine of them were members of minority groups. Does this mean they voted not guilty because O.J. Simpson is black? Or that they ignored the evidence and engaged in jury nullification? Not if you take them at their word, and if you remember that they, too, had to struggle with determining whether they were not merely "pretty sure" that O.J. Simpson was guilty, or thought he "probably" committed these murders. They had to be convinced "beyond a reasonable doubt" that Simpson was guilty. This is a very high standard to meet in any

case, and particularly difficult to establish when some aspects of the case created uncertainty.

Taken in isolation, Detective Fuhrman's perjury and the less-than-exemplary crime scene work of the Los Angeles Police Department may not have created a reasonable doubt, but when all these elements were put together they apparently sufficed to create a reasonable doubt in the minds of 12 jury members. If the race factor played any part at all in the ultimate verdict, such is not easy to ferret out from the concept of reasonable doubt. It can be argued that the perception of reasonable doubt may in fact be influenced by one's racial background and experience, hence the two may not be mutually exclusive, and indeed, may be difficult to separate.

What lesson is to be derived from this case? For starters, it may be time to further clarify this ill-defined concept. If we wish to avoid jury confusion and the nightmare of a conviction based on less-than-adequate proof, or an acquittal masked by factors others than reasonable doubt, then that standard of certainty must be made more

comprehensible to the average juror. If quantification of the concept is unacceptable, then the definition must at least be made more understandable.

While the Supreme Court does not mandate a definition of reasonable doubt, it seems sensible to explain it to jurors as to create a standard that conveys a similar meaning to one citizen as it does to another, and from one trial to the next. In short, subjectivity ought to be minimized. A clearer definition is needed. The definition provided by the Federal Judicial Center, and endorsed by Justice Ginsburg of the U.S. Supreme Court in a companion case to Sandoval, *Victor v. Nebraska*, offers a concise and more meaningful and understandable interpretation. It reads:

"Proof beyond a reasonable doubt is proof that leaves you firmly convinced of the defendant's guilt. There are very few things in this world that we know with absolute certainty, and in criminal cases the law does not require proof that overcomes every possible doubt. If, based on your consideration of the evidence, you are firmly convinced that the defendant is guilty of the crime charged, you must

find him guilty. If on the other hand, you think there is a real possibility that he is not guilty, you must give him the benefit of the doubt and find him not guilty."

Not guilty is not tantamount to innocence. This is not to suggest that we believe O.J. Simpson was guilty. It is to suggest instead that our system has established a level of proof needed before an accused can be found guilty. Such a level was not reached in the Simpson case, according to what we now know from the jurors in the case.

Our legal system has compounded the problem by not clearly defining a term used in every criminal trial. That such vagueness and confusion have gone on for so long does our criminal justice system a disservice. We can and should do better. A famous jurist once said it is better that 10 guilty men go free than one innocent man be convicted. The "guilty beyond a reasonable doubt" standard is designed to err in this direction. We can minimize the effects of errors in jury judgment if we clarify for them the meaning of "reasonable doubt." Our system of justice will be all the better for it.

## New Orleans chief cites gains in reversing department's decades-long reign of error

Continued from Page 1

be raised by 40 percent — more for college-educated recruits.

Low pay is one of many reasons given for the department's ineffectiveness and the high number of serious criminal violations lodged against some officers in the past few years, as well as the department's inability to attract and keep quality recruits. "It's difficult to recruit the best-qualified candidates when you don't have that much to offer," noted Haydel.

In the past two years, the department has weathered a corruption scandal uncovered by the FBI and two murder cases involving police as suspects. In one, Officer Len Davis was arrested for setting up a "hit" on a young woman who had dared to file a

complaint against him. This fall, Officer Antoinette Frank was sentenced to death for killing her former partner and two other people during a robbery at a restaurant.

Many observers believe that under Pennington's leadership, the agency is indeed making headway at shaking off a nightmarish reputation for ineptitude and criminal misconduct.

"What Richard Pennington has done during his first year in office is regained administrative control of the Police Department by instituting a chain of command," said Rafael Goyeneche, managing director of the Metropolitan Crime Commission of New Orleans, which monitors the city's criminal justice system. "It may sound very simplistic and unimpressive, but it's

essential if he's going to begin to reform this department. I think he realizes that unless the Police Department is righted internally, it can't be a force externally in combating crime."

The turnaround appears well underway. Lieutenant Deffillo said overall crime is down in the city by nearly 20 percent. The murder rate in 10 properties administered by the Housing Authority of New Orleans has been cut nearly in half — from 113 in 1994 to 57 through September — which residents credit to the deployment of COPS teams.

"Community policing is something we have always worked for here and felt could make a difference, and it has made a tremendous difference here as far as decreasing crime and people's attitudes toward police," said Yvonne Marrero, president of the B.W. Cooper Resident Management Corp., a tenant group based in HANO's second-largest development, which is home to 3,000 residents. The development was the site of 12 murders last year, but only three so far this year.

Marrero said residents now congregate in courtyards without fearing for their safety, the elderly no longer sleep on the floor to avoid being hit by bullets crashing through their windows, and officers and youngsters have built a positive rapport. "What's happening here can be replicated — and it needs to be," she told LEN.

Police plan to deploy another squad, which are funded by Federal grants, to the Peete development, where 16 murders occurred in 1994 and seven were reported through September of this year. Congress will apparently continue funding for the program through fiscal 1996, allowing for the new deployment, said Michele Moore, a spokeswoman for Mayor Marc Morial.

Despite the gains, sources agreed that the salary issue must be addressed in order to attract the kind of high-quality officers needed to allow the agency to make its transformation com-

plete — as well as to stanch an attrition rate that has left the 1,500-officer force 200 members below strength.

"In the short term, that's the single most important issue facing Pennington's success or failure," said Goyeneche. "The hiring mistakes made today will manifest themselves in the form of corrupt or ineffective cops over the next three to five years. We've seen that time and time again and we can't afford to walk down that road again."

"You can't buy integrity, but higher salaries tend to attract a better quality of recruits," added Sanford Krasnoff, a former New Orleans police officer who is president of Victims and Citizens Against Crime. While VCAC gives Pennington good marks in his first year, Krasnoff said the Superintendent needs to distance himself from the hurly-burly of Big Easy politics.

"We need an independent chief to speak out, and if necessary, do a little yelling and screaming to get the word out to the public that he needs help," said Krasnoff.

The city's 1996 budget, which will be voted on Dec. 1, includes no provisions for police pay increases, due to a looming \$30-million budget gap. "Pay raises for police are still a priority, but stabilizing the budget is the overall priority," said Moore, noting that all city employees, including police, received a 5-percent raise in July — their first in eight years.

Most interviewed by LEN agreed that the department has a way to go before it can reverse decades of managerial and fiscal neglect. Noting Pennington's comprehensive approach, Lieutenant Haydel said, "There are so many areas being addressed that it's really going to take a while to get the whole package on line."

"What Pennington has done is begun a process that has to continue over the next three to five years," added Goyeneche. "Only then are we going to be able to see how successful we've been."

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# Upcoming Events

## DECEMBER

**11. Criminal Justice Grantsmanship.** Presented by Justice Planning & Management Associates. Lansing, Mich. \$150.

**11-13. Civil Liability: The Law Enforcement Challenge of the 90s.** Presented by Law Enforcement Seminars. Charlotte, N.C.

**11-13. Police Traffic Laser Instructor.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$325.

**11-13. Police Leadership: A Day at the Zoo.** Presented by Rollins College. Orlando, Fla. \$250.

**11-13. The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates. Washington, D.C. \$520.

**11-13. The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates. Minneapolis. \$520.

**11-13. Advanced Automated Crime Analysis.** Presented by the Justice Research & Statistics Association. Washington, O.C. \$695/\$595.

**11-14. Police/Media Relations.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$425.

**11-15. Investigation of Motorcycle Accidents.** Presented by the Institute of Police Technology & Management. Jupiter, Fla. \$450.

**11-15. Practical Hostage Negotiations.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$450.

**11-15. Narcotic Identification & Investigation.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$450.

**11-15. Advanced Techniques for Unresolved Oath Investigations.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$495.

**13. Criminal Justice Grantsmanship.** Presented by Justice Planning & Management Associates. Cleveland. \$150.

**13-15. Surviving the Streets.** Presented by Rollins College. Orlando, Fla. \$265.

**13-15. Field Training Program for Communications Officers.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$350.

**14-15. Executive/VIP Protection.** Presented by the Executive Protection Institute. Baltimore.

**18. Criminal Justice Grantsmanship.** Presented by Justice Planning & Management

Associates. Worcester, Mass. \$150.

**18-20. OUI Standardized Field Sobriety Testing Course.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$325.

**18-20. Crime Scene Search & Investigation.** Presented by TEEX — Law Enforcement & Security Training Division. Bryan, Texas. \$75.

**18-20. Police: The Internal Affairs Function.** Presented by Rollins College. Orlando, Fla. \$295.

**19-20. Community Policing.** Presented by Hutchinson Law Enforcement Training LLC. Cheshire, Conn. \$175.

**20. Criminal Justice Grantsmanship.** Presented by Justice Planning & Management Associates. Augusta, Maine. \$150.

## JANUARY 1996

**3-5. Examination of Questioned Documents.** Presented by Rollins College. Orlando, Fla. \$235.

**4-5. Managing Security Systems.** Presented by the Executive Protection Institute.

New York.

**8-March 1. 32nd Management College.** Presented by the Southwestern Law Enforcement Institute. Oallas. \$1,490/\$990.

**8-10. Domestic Violence & Stalking Investigations.** Presented by Rollins College. Orlando, Fla. \$225.

**8-19. Traffic Accident Reconstruction I.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$875.

**8-19. Supervision of Police Personnel.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$800.

**9-10. Narcotic & Drug Investigations.** Presented by Hutchinson Law Enforcement Training LLC. Concord, Mass. \$175.

**9-10. Winning Strategies for Drug Enforcement & Interdiction.** Presented by Law Enforcement Seminars. Las Vegas.

**10-12. Managing the Detective Unit.** Presented by Rollins College. Orlando, Fla. \$325.

**11-12. Background Investigation for Police Applicants.** Presented by Harvey, Ward & Associates. Columbia, Mo.

**11-12. Police Background Investigations.** Presented by Hutchinson Law Enforcement Training LLC. Granby, Conn. \$175.

**13-15. Street Survival '96.** Presented by Calibre Press. Oallas. \$179/\$155/\$105.

**15-16. Investigations of Violent & Serious Crimes.** Presented by Law Enforcement Seminars. Myrtle Beach, S.C.

**17-18. Criminal Intelligence Operations.** Presented by Hutchinson Law Enforcement Training LLC. Peckskill, N.Y. \$175.

**17-19. Major Case Management.** Presented by Rollins College. Orlando, Fla. \$325.

**21-26. Biomechanics of Accidents.** Presented by TEEX — Law Enforcement & Security Training Division. San Diego. \$350.

**22-23. Corporate Aircraft Security.** Presented by the Executive Protection Institute. Orlando, Fla.

**22-23. Officer Safety & the Force Continuum: Legal & Practical Considerations.** Presented by Law Enforcement Seminars. St. Louis.

**22-24. Asian Gangs & Criminal Activity.** Presented by Rollins College. Orlando, Fla. \$295.

**22-24. Street Survival '96.** Presented by Calibre Press. Cincinnati. \$179/\$155/\$105.

**22-26. Conference on Responding to Child Maltreatment.** Presented by the Center for Child Protection, Children's Hospital. San Diego.

**22-26. Crime Scene Technology I.** Presented by the Northwestern University Traffic Institute. Orlando, Fla. \$600.

**22-26. Traffic Accident Reconstruction II.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$625.

**22-Feb. 9. Command Training Program.** Presented by the New England Institute of Law Enforcement Management. Wellesley, Mass.

**24-25. Managing Security Systems.** Presented by the Executive Protection Institute. Orlando, Fla.

**24-26. Load & Lock Your Promotion: Avoid a Misfire.** Presented by Rollins College. Orlando, Fla. \$195.

## DC police head for the exits in droves, in search of better-paying agencies

Continued from Page 1

they've hired officers from the District, they deny that recruiters are targeting the agency. "We haven't actively been going to D.C. and holding a sign-up, but we are hiring," said Baltimore police spokesman Sam Ringgold.

"We don't go out and try to steal talent, but many of them approach us and take our exam," added Maj. Robert Hines, a spokesman for the U.S. Park Police. The nearly 200 District officers who took the agency's entrance exam earlier this year did so on their own, he said.

Some departing officers freely admit that they're leaving to take jobs that offer more money and greater stability. Mike Jewell, a narcotics officer in the 1st District, is leaving to join the Wilmington, N.C., Police Department. Jewell said he once made \$20,000-\$25,000 in court overtime in each of the last three years — almost guaranteed income that allowed him to buy a

house in Virginia. But since taking on a mortgage, overtime has come to an end and his pay has been cut.

"What am I supposed to do? Instead of bringing home a paycheck of \$1,500 to \$1,600, my paycheck is \$600 to \$700. I would rather know I'm going to make 'X' amount of money and not lose that money. You never know when they're going to sock it to you again here. I just can't live that way," he said.

Similar concerns were expressed in a resignation letter written by Charles Sanders Jr., a 1st District vice officer who accepted a position with the Phoenix, Ariz., Police Department. He wrote that he is ending his five-year career in the District because of "recent reductions in salary, as well as governmental and departmental instability, which has had a serious impact on my financial predicament and left me unable to plan for a secure future."

Police officials peg the number of resignations and retirements at 40 a

month — almost double the normal attrition rate. Soulsby addressed the crisis in a speech he gave shortly after his appointment, citing the dearth of uniformed personnel as one of his central concerns. He said the authorized strength of the department has been reduced to 3,800 officers, but the agency's rolls fall far short of that level, standing currently at 3,690 officers.

Soulsby said the department is trying to fill 110 vacancies in the department, but without resorting to a massive recruiting effort like the one in the late 1980s that backfired disastrously for the agency. Ordered by Congress to hire 1,500 officers in a 20-month period in 1989 and 1990, the Police Department conducted inadequate background checks and skimped on training, resulting in the hiring of scores of officers later implicated in criminal activity, including murder and drug trafficking. [LEN, Oct. 31, 1994.]

[The Washington Post reported Oct. 17 that 312 officers — 8 percent of the police force — are under investigation for possible criminal or departmental violations. According to the report, the U.S. Attorney's office maintains a list that last year contained the names of 185 officers under investigation. Officers hired through the early 1990s account for about half of the names on the list, said Kevin Ohlson, a spokesman for the U.S. Attorney's office.]

## Alarming protection for domestic-violence victims

Continued from Page 1

program to significantly reduce the number of men incarcerated for domestic abuse.

Although some domestic violence victims may feel more secure with their abusers in jail, Dunbar said many victims don't want the men incarcerated. Some do not want to see the men punished, she said, and others fear they will not be able to survive without financial support from the men.

"These women actually love their husbands or love the abuser, they don't love what he does," Dunbar said. "They

"I believe we can continue to provide excellent police service to our citizens with 3,800 officers by changing deployment strategies," said Chief Soulsby, noting that he will continue to reassign officers from administrative support positions to field duties, as he did with over 200 officers during the summer.

The Chief said he would continue a civilianization effort that he hopes will free up to 100 officers for field duties. In addition, Soulsby said he is taking steps to allow the hiring of 100 police cadets to help shore up personnel.

In September, District officials announced a rent discount program for District police officers, some of whom might be eligible to live in apartments nearly rent free. About 50 private apartment units located throughout the District are available to officers through the program known as Police and Landlords for Unity and Safety (PLUS), and officials are hopeful that the effort will not only slow the flow of residents to the suburbs but act as an incentive to keep officers on the force.

"This does not make up for a pay raise, but this is money in the pocket of officers and puts an officer in a neighborhood where people will love and respect him," said D.C. Council member Frank Smith Jr., who chairs the council's housing committee. "It's a win-win situation for everybody."

don't want to see him punished, but for some of these people he is the sole breadwinner. He's in jail and it's difficult for them to see him locked up."

Sheriff Kimerly said the entire cost of the program will be paid for by the batterers. BI Incorporated will charge the Sheriff's Department \$4.50 a day for each system, but the batterer will pay the department \$10 a day for its use. The batterer will also have to pay a \$50 installation fee for the system and \$20 for each weekly mandatory counseling session at Safe Shelter, which is a condition of their probation.

## For further information:

(Addresses & phone/fax numbers for organizations listed in calendar of events.)

Calibre Press, 666 Dundee Rd., Suite 1607, Northbrook, IL 60062-2727. (800) 323-0037.

Center for Child Protection, Children's Hospital, 3020 Children's Way, MC 5016, San Diego, CA 92123-4282. (619) 495-4940.

Executive Protection Institute, Arcadia Manor, Rte. 2, Box 3645, Berryville, VA 22611. (703) 955-1128.

Harvey, Ward & Associates, 5521 Greenville Ave., Suite 103-749, Dallas, TX 75206. (214) 855-7128.

Hutchinson Law Enforcement Training, LLC, P.O. Box 822, Granby, CT 06035. (203) 653-0788.

Institute of Police Technology & Management, University of North Florida, 4567 St. Johns Bluff Rd. So., Jacksonville, FL 32216. (904) 646-2722.

Investigative Training Institute, 621 Ridgely Ave., Suite 100, Annapolis, MD

21401. (800) 828-0317.

Justice Planning & Management Associates, P.O. Box 5260, Augusta, ME 04332. (207) 582-3269.

Justice Research & Statistics Association, 444 N. Capitol St., NW, Suite 445, Washington, DC 20001. (202) 624-8560. Fax: (202) 624-5269.

Law Enforcement Seminars, Smith, Schroeder, Thomas & Means, L.L.P., P.O. Box 37063, Charlotte, NC 28237. (704) 343-2711, Fax: (704) 377-2176.

National Criminal Justice Training & Assessment Institute, Raleigh, NC. (919) 787-4757. Fax: (919) 787-9236.

New England Institute of Law Enforcement Management, P.O. Box 57350, Babson Park, MA 02157-0350. (617) 237-4724.

Northwestern University Traffic Institute, 555 Clark St., P.O. Box 1409, Evanston, IL 60204. (800) 323-4011.

Performance Dimensions Inc., P.O. Box 502, Powers Lake, WI 53159-0502. (414) 279-3850. Fax: (414) 279-5758.

R.E.B. Security Training Inc., P.O. Box 697, Avon, CT 06001. (203) 677-5936. Fax: (203) 677-9635.

John E. Reid & Associates Inc., 250 S Wacker Dr., Suite 1100, Chicago, IL 60606. (800) 255-5747. Fax: (312) 876-1743.

Rollins College, Public Safety Institute, 1000 Holt Ave., #2728, Winter Park, FL 32789-4499. (407) 647-6080. Fax: (407) 647-3828.

Southwestern Law Enforcement Institute, P.O. Box 830707, Richardson, TX 75083-0707. (214) 690-2394. Fax: (214) 690-2458.

TEEX — Law Enforcement & Security Training Division, Texas A&M University System, College Station, TX 77843-8000. (800) 423-8433 or (409) 845-6391. Fax: (409) 862-2788.



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Scales of justice may  
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Travesty or justice? Verdict fuels debate

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Reaction  
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Jury acquits

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Trial outcome splits  
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Many whites see jury discrimination;  
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Now that "The Trial of the  
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LEN surveys expert opinions  
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